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HISTORY

OF THE

COMMONWEALTH OF ENGLAND.

VOL. IV.

HISTORY

OF THE

COMMONWEALTH OF ENGLAND.

FROM

ITS COMMENCEMENT,

TO THE

RESTORATION OF CHARLES THE SECOND.

By WILLIAM GODWIN.

TO ATTEND TO THE NEGLECTED, AND TO REMEMBER THE FORGOTTEN.
BURKE.

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ac

VOLUME THE FOURTH.

OLIVER, LORD PROTECTOR.

LONDON:
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ADVERTISEMENT.

THE history of the reign of Cromwel is a difficult theme, and has not been treated by any writer who has endeavoured to develop its intricacies, and trace effects to their causes. He abruptly dissolved the parliaments of 1654 and 1656, contrary to the earnest remonstrances of Whitlocke. He is affirmed tyrannically to have dismissed from their offices three of the judges of the land; and he sent three eminent counsel to the Tower, merely, as it should seem, for doing justice to the cause of their client. He imposed taxes and made laws, solely by his own authority and that of his council. He arbitrarily deprived of their seats one hundred members of his last parliament, and instituted another house, or house of lords, composed, it is said, of the dregs of the people. All these appear to be the acts of a madman. Yet few have questioned the superlative ta-

lents of Cromwel as a statesman, which indeed are sufficiently evinced by the countless difficulties he struggled with and conquered. The favourable side of the picture has fixed the attention of mankind; and the parts which most shock propriety, have been left unharmonised and unexplained. How far what was so apparently wanted to give sense and consistency to the narrative, has been supplied in the following pages, every reader will judge for himself. It has also been said, that Cromwel's life and all his arts were exhausted together[a], and that, if he had lived a short time longer, he must have lost the ascendancy he so surprisingly acquired. This assertion is here controverted.

The contents of the present volume will probably to the majority of readers be more interesting than those of its immediate predecessor. The object of the preceding was to describe the unavailing efforts of virtuous and magnanimous men in the perhaps visionary attempt to establish a republic in England. The business of this is to delineate the reign of a usurper, who seems also to

[a] Burnet. Hume, Beginning of Chapter LXII.

have had the idea of becoming a public benefactor, but who was not less unsuccessful in the issue of his design than they were. Readers in general are better disposed to interest themselves in the attempts of a daring individual to achieve heroic exploits, than in those of a band of senators engaged in a similar design.

Cromwel was a man of great virtues, sincere in his religion, fervent in his patriotism, and earnestly devoted to the best interests of mankind. He had a frame of mind that no complication of difficulties could ever succeed to inspire with a doubt of his power to conquer them. The fertility of his conceptions, like the intrepidity of his spirit, was incapable of being exhausted. We seek in romance for characters, with qualities enabling them to achieve incredible adventures. In the Lord Protector of the Commonwealth of England we find a real personage, whose exploits do not fall short of all that the wildest imagination had ever the audacity to feign.

The obstacles which Cromwel had to encounter, were of a magnitude the most serious and appalling: a young prince of promising talents and engaging manners, the un-

doubted heir of the preceding sovereigns of England, whose claims a vast majority of the people regarded as sacred; a multitude of fanatics of various denominations, whose resolved purpose it was not to endure a master; and the good sense and independent spirit of a large portion of the inhabitants, who regarded liberty and a government by equal laws as an inheritance never on any account to be allowed to escape from their grasp. All these he held in exemplary subjection: his reputation, as a man born to rule over his fellow-men, increased every day; and the awe and reverence of the English name that he inspired into all other states, can find no parallel in any preceding or subsequent period of our history.

October 20, 1828.

ERRATA.

Page 83, Note, *for* 199, *read* 109.

394, line 18, side note, *read* Observations of Cromwel on certain defects in the Petition and Advice.

463, line 3, *for* England, *read* Scotland.

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HISTORY

OF THE

COMMONWEALTH OF ENGLAND.

BOOK THE FOURTH.

OLIVER, LORD PROTECTOR.

CHAPTER I.

PARENTAGE AND ALLIANCES OF CROMWEL.—HIS EARLY LIFE.—REFUSES THE TITLE OF KING.—HIS PERSON AND DISPOSITION DESCRIBED.

CHAP. I.

Ancestors of Cromwel.

OLIVER Cromwel, lord protector of England, was lineally descended from the family of Thomas Cromwel, earl of Essex, vicar general of England, and prime minister in the reign of Henry the Eighth. The sister of Essex became the wife of Morgan Williams of Llanishen in the county of Glamorgan. Sir Richard Williams, the issue of this marriage, obtained many extensive grants of nunneries and monasteries, at that time dissolved, and, among the rest, of the nunnery of

BOOK IV.

Hinchinbrook and the abbey of Ramsey, both in the county of Huntingdon. He also, in honour of his maternal uncle, assumed the name of Cromwel. Sir Henry, eldest son of sir Richard, was once member of parliament for the county of Huntingdon, and four times sheriff of Huntingdonshire and Cambridgeshire, in the reign of Elizabeth. Sir Oliver, the son of sir Henry, was also several times member of parliament for his native county, and repeatedly entertained king James the First in his mansion of Hinchinbrook. Robert, the father of the lord protector, was next brother to sir Oliver. He chiefly resided in the town of Huntingdon where the protector was born, and once represented that borough in parliament[a].

His alliances.

To men of a liberal mind it will however appear more honourable to Cromwel that he was nearly allied to John Hampden, the distinguished founder of the commonwealth, and to Waller, the poet; persons, who added these intrinsic merits, to the accidental one of being, each of them respectively, the head of a considerable and opulent family in the county of Buckingham. The mother of Hampden was the sister of the father of Cromwel. Waller, in the heraldic sense, was no relation to the protector, the alliance merely con-

[a] Noble, Memoirs of the Protectoral House of Cromwel, Vol. I, Part I and II.

sisting in the circumstance, that Waller stood in the same degree of affinity to Hampden, that Hampden stood in to Cromwel [b].

Entered a member of the university of Cambridge.

The protector himself was entered a gentleman-commoner of Sidney-Sussex college in the university of Cambridge in April 1616, two days before he had completed the seventeenth year of his age [c]. He married, four years after, Elizabeth, daughter of sir James Bourchier, knight [d], who was probably in some way related to sir John Bourchier, member in the Long Parliament of 1640 for the borough of Rippon in the county of York. Sir John Bourchier sat on the trial of the king, and was one of the council of state in the third year of the commonwealth [e].

His marriage.

Residence at Huntingdon.

From the period of his marriage Cromwel appears to have resided at Huntingdon, where all his children, except the youngest, eight in number, were baptized. He represented this borough in the third parliament of Charles the First, which met in 1628 [f].

Member of Parliament.

Residence at St. Ives.

About the year 1633 he removed from Huntingdon to St. Ives, where he is understood to have devoted his attention to agriculture. In 1636 he changed his residence once more to the

[b] Ibid. Vol. II, Art. vii.

[c] Cromwel, Memoirs of Cromwel, p. 210, 212.

[d] Noble, Vol. I, Part ii, §. 2.

[e] See above, Vol. III, p. 234.

[f] Noble, Vol. I, Part ii, §. 2.

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at Ely. city of Ely, in consequence of having inherited the estates of his maternal uncle, sir Thomas Steward of that place, who is said to have been allied to the royal house of Stuart[g]. In the Long Parliament in 1640 he was chosen to represent the borough of Cambridge.

His station in society. It is recorded in the Journals, that in February 1642 he offered a loan of three hundred pounds for the service of the commonwealth[h]; and, when, a very short time after, it was voted that two millions and a half of acres in Ireland should be appropriated for the satisfaction of persons who advanced money for reducing the rebellion in that country, Cromwel is said to have been a subscriber of five hundred pounds[i]. He was also one of seventy-five persons, who in the ensuing summer raised, each of them, a troop of sixty horse, to serve in the approaching war[k]. His conduct in his own family appears to have been most affectionate and exemplary[l]; and the stories of his dissolute and disorderly demeanour in early life are palpable forgeries of the royalist writers.

His domestic character.

His literary acquirements. With respect to his literary acquirements, we are told on the authority of Waller, that he was

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[g] Cromwel, Memoirs, p. 225, 226.

[h] Journals, Feb. 1.

[i] Cromwel, Memoirs of Cromwel, p. 231.

[k] See above, Vol. I, p. 22.

[l] Milton, State Papers, p. 40. Noble, Vol. I, Proofs, QQ, RR. Cromwel, Memoirs, p. 222, *et seqq.*

CHAP. I.

well read in Greek and Roman story[m]; and Whitlocke has recorded an instance, in which he discoursed in Latin with the Swedish ambassador[n].

Proposal of marriage between Charles the Second and a daughter of Cromwel.

[There is a story, singularly well attested[o], of a proposal of marriage between Charles the Second, and the lady Frances, the youngest daughter of Cromwel. It probably belongs to the year 1653, the period in which Cromwel had all power in his own hands, and before he had openly assumed the office of chief magistrate. Lord Broghil was the author of the proposition. Having, as we are told, opportunities by a secret correspondence with some about the king, he sounded Charles's inclinations, as to how he would feel respecting a proposition to restore him to his hereditary dominions by means of such a marriage. The royal exile received the proposition with avidity. Its author next stated it to the mother and daughter. Neither of them shewed any aversion to the suggestion. Having succeeded thus far, the next business was to break the proposal to Cromwel himself. This Broghil took an opportunity of doing in the following manner.

Its reception by Cromwel.

Being one day returned from the city, and waiting upon Cromwel in his closet, one of the

[m] Life of Waller, prefixed to his Works, 1712, p. 34.

[n] Journal of the Swedish Ambassy, Oct. 19, 1653.

[o] It is related by Morrice, chaplain to Lord Broghil, in his Life of that nobleman, and by Burnet (History of his Own Time), who states that he had it from Broghil's lips.

BOOK IV.

first questions with which he was accosted was, whether there was any news? In truth there is, said Broghil; and very strange news. What is it? It is in every body's mouth, answered the courtier; but I dare not mention it to your excellency, lest you should be offended. Cromwel told him to speak out. To which Broghil rejoined, All the news in the city is, that you are going to marry your daughter Frances to the pretender. The general was struck with the suggestion, and paced up and down the room two or three times in silence. And what do people say to the tale? I assure you it is received with decided approbation by the majority. Consider, sir, that by it you would extricate yourself from your present precarious situation, would become father-in-law to a prince who would owe every thing to your interference, might retain the command of the army, and would in all probability become progenitor to a race of kings. No, said Cromwel after a pause; it is impossible; he would never forgive me the death of his father.

Its probable consequences.

This was certainly a critical moment. If monarchy was necessary for the people of England, and a hereditary succession in a line of kings, as Cromwel was persuaded was the case, a more salutary scheme could scarcely have been devised. If Charles had been restored by the captain-general of the army of England, who was at the same time a man of talents so unparalleled, it can

scarcely be doubted that his power would have been greater than that of any prime minister that ever ruled. Cromwel was the friend of liberty, political and religious. He was a severe moralist, and a sincere Christian. Under his auspices, this country could never have seen the triumph of bigotry, and the proscription of all parties and all creeds but one, which followed upon the Restoration by Monk. We never could have been exposed to the profligacy which afterwards inundated the court of Charles the Second, nor to that base sacrifice of the interests and honour of England to one foreign court after another which stigmatizes his reign.

Perils that would have resulted from it.

But it is in vain to speculate upon what would have happened under a different aspect of affairs. Cromwel would have saved himself from the odium which the general voice of history has fixed upon him as a usurper. But the republicans would have been more his enemies than ever, and the royalists would never have learned to endure him. The life of man may be assailed in a thousand ways; and it should never be forgotten that the life of any one may almost to a certainty be taken away by a person who sets no price on his own. Whether Charles the Second on this supposition could ever have got rid of Cromwel otherwise than by the dagger, is open to conjecture [p].]

[p] This passage, inclosed in hooks, in chronological exactness belongs to the close of Volume III.

BOOK IV.

1653. Installation of Cromwel.

A circumstance, not mentioned in the close of the preceding volume, it seems proper to introduce in this place. Barbone's, or the Little Parliament, was brought to a conclusion on Monday, the twelfth of December, and on the Friday following Cromwel was installed in the office of lord protector. The ceremony took place at one o'clock in Westminster Hall; and, the persons who had a part assigned in it being assembled, Lambert, the ostensible leader in the transaction, came forward to announce the dissolution of the parliament, and that a plan for the future government of the commonwealth had been prepared by the council of the army, and sanctioned by the principal officers of state. The articles of the Government were then read; Cromwel was invited to accept the appointment of chief magistrate, and took the oath of office accordingly [q].

He refuses the title of king.

How this plan was arranged, at what time the idea was first started, and how long it was in digesting and reducing into form, we have no means of discovering. The circumstance we have now to relate, is, that, when the instrument of the Government was first submitted to Cromwel in private, the title appropriated to the chief magistrate in the first article, was that of king. To this he objected [r]. There is no reason to suppose that

[q] See above, Vol. III, p. 593, 594.

[r] This appears from a speech of Cromwel to a body of one hundred officers, who waited on him in February 1657, to remonstrate

it was not sufficiently in conformity with both his judgment and inclination. Perhaps he wished, that, if ever the title were conferred upon him, it should be offered from a more unquestionable

CHAP. I. 1658.

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against the title of king. He plainly tells them, that they had on the former occasion offered him the title, and that he had refused it. (MSS, Additions to Ayscough, No. 6125, p. 285, *et seqq*. Ludlow also relates, p. 477, "Some were said to have moved that the title might be king." And Bates, Elenchus Motuum, Part II, p. 166, observes on the occasion, "Yet Cromwel would not accept of the government by the title of king, though he was persuaded to it by many.")

It is stated in the official account, that, "the parliament having surrendered its powers into the hands of the lord general from whom it had received them, he called a council of the principal officers of the army, and advised with other persons of interest in the nation, who, after three days seeking God, and consulting on the subject, concluded upon the form of the Government of the Commonwealth. (Declaration by the Lord Protector. Perfect Diurnal, Dec. 19. Weekly Intelligencer, Dec. 20.)" The council is said to have been opened by the lord general with a most excellent, wise, gracious and pious speech. (Several Proceedings, Dec. 15.)

The secret history of the concoction of this instrument cannot now be discovered. Ludlow says, p. 476, 477, some of the officers having objected to the project; Lambert told them, "it was not now to be disputed, having been under consideration for two months past." But this is extremely improbable.

A more daring project was never conceived, nor one more destitute of those sanctions which might have been looked for in erecting a government over a civilised nation. But the character of the man, the experiments which had been made of him for years in the most critical situations, and his known qualifications for the office he aspired to fill, smoothed every difficulty, and superseded every objection.

BOOK IV. 1659.

authority. Perhaps he thought the minds of the people were not so well prepared for such an assumption, nor his own partisans so thoroughly reconciled to it, as hereafter they might be. The instrument conferred on him the office of chief magistrate for life, and declared that, on his decease, the election of a successor should be in the council. This took away one of the principal jewels of the crown, and ran counter to what was undoubtedly the darling hope of the general, to establish in his family a new race of kings. It complied therefore with the secret wish of his soul in semblance only, while it denied the substance. Finally the title of protector was fixed on, as being that which in the practice of the English constitution had usually been employed, when from minority or any other cause, the king was prevented from exercising those functions, which in the ordinary course of things were assigned him.

His person and disposition described.

The person and disposition of Cromwel are well described, yet not without a leaning to panegyric, and a tinge of religious fanaticism, in a letter written by Maidstone, the steward of his household, about a year and a half after his decease. "His body was well compact and strong, his stature under six feet (I believe, about two inches), his head so shaped, as you might see in it a storehouse and shop both, of a vast treasury of natural parts. His temper exceeding fiery, as I have

known; but the flame of it kept down for the most part, or soon allayed, with those moral endowments he had. He was naturally compassionate towards objects in distress, even to an effeminate measure; though God had made him a heart, wherein was left little room for any fear but what was due to himself [God], of which there was a large proportion. A larger soul, I think, hath seldom dwelt in a house of clay, than his was. I do believe, if his story were impartially transmitted, and the unprejudiced world well possessed with it, she would add him to her nine worthies, and make up that number a *decemviri*. He lived and died in comfortable communion with God, as judicious persons near him well observed. He was that Mordecai, 'that sought the welfare of his people, and spake peace to his seed[s]:' yet were his temptations such, as it appeared frequently that he, that hath grace enough for many men, may have too little for himself; the treasure he had being but in an earthen vessel, and that equally defiled with original sin as any other man's nature is[t]."

1658.

His countenance.

Perhaps the only portrait of Cromwel, that presents to us an image of his mind, is the miniature by Cooper, of which there is a good print in the early copies of Kimber's Life of the Protector, published in 1724. The eye is steady, vigilant,

[s] Book of Esther, Chap. x.

[t] Thurloe, Vol. I, p. 766.

BOOK IV. 1653.

resolute, pregnant with observation. The lips are compressed and firm, yet visibly adapted to convey emotion and feeling. The brow is large, and indicative of a capacious spirit. Authority is in every feature, without assumption, without affectation; and there is a grave and composed air over the whole, that speaks the early religious habits of his mind. There is somewhat in the aspect that impresses awe on the beholder, at the same time that we are unable to assign to ourselves a reason, why we should be afraid. We observe power, but nothing that bespeaks a tendency to the improper use of it. We observe superiority, not imperious, but unalterable and calm. There is no improbability in the supposition, that Milton, in describing the person of our first parent, had that of Cromwel in his recollection.

"In his looks divine
The image of his glorious Maker shone,
Truth, wisdom, sanctitude severe and pure,
Whence true authority in men—
His fair, large front, and eye sublime declared
Absolute rule; and hyacinthin locks
Round from his parted forelock manly hung,
Clustering, yet not beneath his shoulders broad[u]."

[u] Paradise Lost, Book IV.

CHAPTER II.

POSITION IN WHICH CROMWEL WAS PLACED.—HIS ANTICIPATIONS OF THE FUTURE.—SENTIMENTS AND LANGUAGE OF MILTON AT THIS PERIOD.

1653. Position in which Cromwel was placed.

Cromwel had now attained the situation, to which, ever since the battle of Worcester, he had plainly, in the eyes of history, though not consciously to the perceptions of a multitude of his contemporaries, aspired. Almost every step he had taken during this interval, had been calculated to prepare the way, and smooth the obstacles, towards his assuming that eminence in which he now palpably stood before the people of his native land. He was not however a king. Whatever magic there is in that name, was not imparted to him. The form of government which had prevailed for the last five years was not formally taken away, repealed and abolished. The change that took place was irregularly made, and did not stand forward under such an aspect as should plainly declare, This is constituted to last as long, as the variable and uncertain nature of man will allow human institutions to endure.

But, in some respects, and as far as related to

BOOK IV.

1653. Extent of his privileges.

the question of present uses, it had an advantage in this. Cromwel may fairly be said to have had all the powers of a king: but he had something more. A king was an officer well known to the British constitution: all our laws had more or less reference to him: as many of our lawyers as were well skilled in their profession, and had the integrity to speak out what they knew, could tell what belonged to him, and could say to him, as God is represented to say to the waves of the sea, "Thus far shall you go, and no further." But the office of a lord protector, such as was now proclaimed, was new, and its limits not so well defined. There was an uncertainty and a mystery in it, that was favourable to incroachment: and this might be, and was, taken advantage of by Cromwel. Though in sober and deliberate speech it was not reasonable to say that the powers of a lord protector of England should exceed those of an English king, yet human beings are so constituted as to be greatly under the influence of words, and that which would have shocked the people of England under the name and on the part of a king, might be less shocking, when connected with a name with which they were not so much familiarised.

Sentiments of Cromwel.

Cromwel reflected on the powers with which he was invested with peculiar complacency. He said, The people over whom I am called to rule, are lovers of liberty. For that they have fought for the last twelve years. In this respect my sen-

timents and theirs are one. If they have fought for liberty, I have in a greater or less degree led their battles. My preferences are not changed: I understand the value of liberty at least as well as they do: I am desirous to make the nation free: I am desirous that they should acquire a character as illustrious as that of ancient Greece or Rome. The temper of the nation is excellent; they are distinguished by their love of order, their high moral qualities, their religious prepossessions, their good sense, and their faculty of reasoning and reflection[a]. Happy the man who is called to preside in such a nation, to direct its energies, to excite its efforts, to control its fervour, and to lead it forward in the path of general improvement and good. CHAP. II. 1653.

Meanwhile it is certain that, though the English love liberty, the bulk of the people of England desire a king. I have now given them one, not in name indeed, but in substance. A king is a very equivocal gift to bestow on a numerous race and collection of men. He may be vicious; he may be selfish; he may be profligate; he may be a tyrant. The character of a family of princes is apt to decay; and the education that is too often bestowed on them, is calculated to render them the pests of a community they should benefit and adorn. But I am the man of the people's choice, at least of a considerable portion of the

[a] See above, Vol. III, p. 471.

BOOK IV. 1653.

people: they know me; I know them. My intentions are generous and pure; and my mental powers and energies, and my acquired wisdom and experience, are matched to my intentions. My children have been bred in the way of truth and soberness, and have not been exposed to the contagion of ill example and flattery.

His anticipations of the future.

Cromwel believed that, with such a prince, and such a people, marvellous things might be achieved. He purposed to make the period of his reign an epoch in the annals of the human race. He persuaded himself that he was an instrument in the hands of God for accomplishing great things for a chosen generation of men. He conceived that the longer he was known, the more he would be found worthy of confidence, and the more he would obtain it. He knew that there would be a short interval in which he would be regarded with jealousy and distrust by those who saw him whom they had known as one of themselves, thus abruptly advanced over the heads of all: but he believed that that period would presently pass away, the clouds would disperse, and the lustre of a perfect day would break forth upon all.

Cromwel imagined that the period of his reign would be looked back to by a distant posterity with admiration and affection, as men talk of the ages of Lycurgus and Solon and Numa and Alfred. He would tranquillize all disorders; he would give to his people peace and glory; he would

make them prosperous at home, and feared and honoured by surrounding nations. He would reform their institutions; he would give them wise laws; he would make them religious, and of a concordant spirit, and virtuous, and happy. All these things with more or less distinctness revolved themselves in the mind of Cromwel. Why should he not? Few men ever had more philanthropy and patriotism; few men ever had greater talents, or of a more practicable order. CHAP. II. 1653.

Alas, what are the anticipations of man! Human society is a machine of strange composition; and a thousand times has it baffled the utmost efforts of human sagacity, when attempting to direct and to guide it. As the wise man of the Hebrews said, "I saw that wisdom excelleth folly, even as light excelleth darkness. And I perceived also, that one event happeneth to them all. How dieth the wise man? even as the fool dieth[b]." Cromwel ruled but a short time; and his reign entailed comparatively few benefits on his country. It is the business of the following pages to discover, how his lofty hopes came to terminate in disappointment. Their disappointment.

Meanwhile, it will not be unworthy of our consideration to recollect the difference between the present project of Cromwel, and the project of Vane. Vane's purpose was a republic. He de- Projects of Cromwel and Vane contrasted.

[b] Ecclesiastes, Chapter II, v. 13, 14, 16.

BOOK IV. 1653.

signed, that every Englishman should be a king; or, in other words, that none of his countrymen should have a master. Cromwel on the contrary intended that there should be but one king in England. There is something in the nature of man, by means of which, so long as he is not penetrated with the sentiment of independence, so long as he looks up with a self-denying and a humble spirit to any other creature of the same figure and dimensions as himself, he is rendered incapable of being all that man in the abstract is qualified to be. It was this lofty and soaring and independent spirit, that made Rome, so long as the state of Rome was uncorrupted, and unpoisoned by the influx of wealth, radically different from all the nations and people of modern times. Cromwel's plan did not include the personal elevation of every individual of the soil of England. His project therefore crumbled away, and speedily became as if it had never been. If Vane had succeeded in moulding the character of the nation agreeably to his conceptions, the issue would have been very different.

1654. Sentiments of Milton on the occasion.

Milton seems to have written his *Defensio Secunda pro Populo Anglicano* with similar feelings to those of Cromwel. He approves of the late revolution of affairs, and declares, that "nothing in human society is either more pleasing to God, or more agreeable to justice, than that the worthiest individual should possess the sovereign

power[c]." He proceeds however in a truly republican style of advice to the protector.

CHAP. II.

1654. His advice to Cromwel.

"Consider frequently," he says to his new sovereign, "in thy inmost thoughts, how dear a pledge, from how dear a parent recommended and intrusted (the gift liberty, the giver thy country), thou hast received into thy keeping. Revere the hope that is entertained of thee, the confident expectation of England; call to mind the features and the wounds of all the brave men, who under thy command have contended for this inestimable prize; call to mind the ashes and the image of those who fell in the bloody strife; respect the apprehension and the discourse that is held of us by foreign nations, how much it is they look for, in the recollection of our liberty so bravely achieved, of our commonwealth so gloriously constructed; which if it shall be in so short a time subverted, nothing can be imagined more shameful and dishonourable: last of all, revere thyself, so deeply bound, that that liberty, in securing which thou hast encountered such mighty hardships, and faced such fearful perils, shall, while in thy custody, neither be violated by thee, nor any way broken in upon by others. Recollect, that thou thyself canst not be free, unless we are so: for it is fitly so provided in the nature of

[c] *Nihil est in societate hominum magis vel Deo gratum, vel rationi consentaneum, quam potiri rerum dignissimum.*

BOOK IV. 1654.

things, that he who conquers another's liberty, in the very act loses his own; he becomes, and justly, the foremost slave. But indeed, if thou, the patron of our liberty, and (if I may so speak) its tutelar divinity,—if he, of whom we have held that no mortal was ever more just, more saintlike and unspotted, should undermine the freedom, which he had but so lately built up, this would prove not only deadly and destructive to his own fame, but to the entire and universal cause of religion and virtue. The very substance of piety and honour will be seen to have evaporated, and the most sacred ties and engagements will cease to have any value with our posterity; than which a more grievous wound cannot be inflicted on human interests and happiness, since the fall of the first father of our race. Thou hast taken on thyself a task which will probe thee to the very vitals, and disclose to the eyes of all how much is thy courage, thy firmness, and thy fortitude; whether that piety, perseverance, moderation, and justice, really exist in thee, in consideration of which we have believed that God hath given thee the supreme dignity over thy fellows. To govern three mighty states by thy counsels, to recal the people from their corrupt institutions to a purer and a nobler discipline, to extend thy thoughts and send out thy mind to our remotest shores, to foresee all, and provide for all, to shrink from no labour, to trample under foot and tear to pieces

all the snares of pleasure, and all the entangling seducements of wealth and power;—these are matters so arduous, that in comparison of them the perils of war are but the sports of children. These will winnow thy faculties, and search thee to the very soul; they require a man, sustained by a strength that is more than human, and whose meditations and whose thoughts shall be in perpetual commerce with his Maker."

OLIVER,

LORD PROTECTOR.

Installed, December the Sixteenth, 1653.

LORDS OF COUNCIL,

as appointed by the Instrument, called the Government of the Commonwealth.

Philip Viscount Lisle.	Sir Gilbert Pickering, Bart.
Charles Fleetwood.	Sir Charles Wolseley, Bart.
John Lambert.	Sir Anthony Ashley Cooper, Bart.
Edward Montagu.	William Sydenham.
John Desborough.	Philip Jones.
Walter Strickland.	Richard Major.
Henry Lawrence.	Francis Rous.

Philip Skippon.

To these were added, February 7, 1654, Humphrey Mackworth; April 27, Nathaniel Fiennes; and, June 30, Edmund Sheffield earl of Mulgrave.

The salary of each counsellor was one thousand pounds *per annum.*

See Thurloe, Vol. III, p. 581.

CHAPTER III.

CROMWEL'S PROCEEDINGS AS TO THE JUDGES.—STATION AND AUTHORITY OF THE MEMBERS OF HIS COUNCIL.—ORDINANCES ENACTED BY THEM.—SYSTEM OF ECCLESIASTICAL GOVERNMENT.

1654. Early measures of Cromwel.

HAVING been installed in the office of lord protector, and taken the oath of office accordingly, it was Cromwel's firm determination to assume without delay all the functions and prerogatives which he regarded as annexed to his new dignity.

His proceedings respecting the judges.

One of the first of these related to the judges of the land.

Cromwel, as we have already seen, considered himself, by the act of his inauguration, as seated on the throne of England, and though, in consequence of obstacles which he could not conquer, he waived the title of king, he by no means intended to depart from any of the claims which might justly be advanced by the person who held that office. The king, as has been repeatedly seen in the course of this work, was pronounced by the expounders of the law to be the fountain of executive and administrative justice; and, of

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consequence, it had always been held, that the demise of the crown vacated the appointments of the judges, and that they could only resume the exercise of their functions by means of a new patent to be made out in the name of the successor[a].

Their patents.

Upon this dictum Cromwel acted. The first law-term of the year commences on the twenty-third of January; and accordingly, four days before, a fresh patent was issued to Rolle, chief justice of the upper, and Atkins, one of the puisne judges of the common bench[b]; and, on the day itself, a similar patent was granted to St. John, chief justice of the common bench[c], and before

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[a] Blackstone, Book I, Chapter 7.

[b] Docquet Book of the Crown Office.

[c] St. John says of himself (Case, p. 3), "It is said, that I was the dark lanthorn and privy counsellor in setting up and managing affairs in the late Oliver Protector's time.—This wholly denied, and the contrary true, and many witnesses of my manifesting my dislike. In October I fell sick so dangerously, that from that time till the end of May, my friends expected death; I think in December or January he was set up, when I was at the worst."

The Case of Oliver St. John was drawn up by him after the Restoration, with the view of extenuating what he had done previously to the return of the king. It is to be examined therefore with a considerable degree of suspicion. When Cromwel came back from the battle of Worcester, St. John was one of the deputation appointed by parliament to meet him on the road; and, in the evening they spent at Aylesbury, Whitlocke says, they had much discourse with Cromwel, and St. John more than all the rest. (See above, Vol. III, p. 278.) On the day before the dispersion of

the end of the month patents were made out to Aske, a puisne judge of the upper bench, and Thorpe, a baron of the exchequer[b]. At the same time Matthew Hale, a well known character in the history of English jurisprudence, was made a judge of the common bench[b]; and Robert Nicholas, who had previously been a judge in the upper bench[d], was added to Thorpe in the exchequer[b]. 1654.

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the Long Parliament, St. John urged to Cromwel, in a meeting held to consider what was to be done, that it was above all things requisite, that the parliament be forthwith terminated, and that the affairs of the nation could never be beneficially settled so long as they remained in authority (p. 451). On the following day, in the parliament itself, Cromwel is said to have addressed himself to St. John, telling him, that he came to do that which grieved him to the very soul, and which he had earnestly with tears prayed to God against: to which St. John replied, he knew not what the other meant, but prayed that whatever was done, might have a happy issue for the general good. (Dugdale, View of the Troubles, p. 405.) If St. John was really expected to die, and was at the worst, as he says, in December and January, his receiving at that time a new patent of office is in all reason a new proof how much he was valued by Cromwel.

It is worthy of remark, that, when Milton introduces in his *Defensio Secunda* the panegyric of Cromwel's counsellors and assistants in state-affairs, neither Rolle nor St. John are in the list. Nor are they included among the privy counsellors. (See above, p. 22.) The persons commended by Milton are Fleetwood, Lambert, Desborough, viscount Lisle, Pickering, Strickland, Sydenham, Montagu, afterwards earl of Sandwich, and Lawrence, all privy counsellors, to whom he has added Whalley and Overton (eminent military officers, but not of the council), and Whitlocke.

[b] Docquet Book of the Crown Office.

[d] See above, Vol. III, p. 99.

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Wild, who had been made chief baron in the year before the king's death[e], was desirous of being continued in his office, but could not obtain that favour from the protector[f].

Spring-circuit of the judges.

Shortly after these appointments, a list was formed of twelve persons to hold the assizes at the principal towns of England for the spring-circuit. Rolle and Glyn were named for the western circuit, St. John and Atkins for the Oxford, Aske and Richard Newdigate for the home, Thorpe and Richard Pepys for the midland, Nicholas and William Conyers for the Norfolk, and Hale and Hugh Windham for the northern[g]. Five of these persons, Glyn, Newdigate, Pepys, Conyers and Windham had not received patents as judges, and must therefore have officiated merely *pro hac vice*. Hale, Pepys, Newdigate and Windham were called to the degree of serjeant at this time, together with Steele, the recorder, Maynard, Thomas Fletcher, and Thomas Twisden[h]: Glyn and Conyers had been made serjeants in August 1648[i]. We must conclude from the circumstance of Glyn and Maynard, two of the most accomplished lawyers of that period, who had formerly been deeply engaged in the

[e] See above, Vol. II, p. 621.

[f] Whitlocke, Journal of Ambassy, Vol. II, p. 419.

[g] Several Proceedings, Feb. 16.

[h] Docquet Book of the Crown Office.

[i] See above, Vol. III, p. 621.

presbyterian party, being the former of them employed, and the latter promoted on the present occasion, that Cromwel had had the skill to engage them in a certain degree to the government by a protector. 1654.

Character of Hale.

It seems necessary, in justice to Cromwel, that we should pause a moment at the name of Hale, the only new judge appointed by him at this period. He was endowed with a quality, particularly requisite in such an officer, and that more than any other excites the admiration of the mass of spectators and readers, a fearless spirit, which regards with indifference the frowns and the smiles of those who conduct the government of the state. Burnet tells two stories of him, that tend strongly to illustrate this.

His conduct in office.

"Not long after he was made a judge, when he went the circuit, a trial was brought before him at Lincoln, concerning the murder of one of the townsmen, who had been of the king's party, and was killed by a soldier of the garrison there. He was in the fields with a fowling-piece on his shoulder, which the soldier seeing, he came to him, and said, it was contrary to an order which the protector had made, that none who had been of the king's party should carry arms, and so he would have forced it from him; but as the other did not regard the order, so being stronger than the soldier, he threw him down, and having beat him, he left him: the soldier went into the town,

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and told one of his fellow-soldiers how he had been used, and got him to go with him, and lie in wait for the man that he might be revenged on him. They both watched his coming to town, and one of them went to him to demand his gun, which he refusing, the soldier struck at him, and as they were struggling, the other came behind, and ran his sword into his body, of which he presently died. It was in the time of the assizes, so they were both tried: against the one there was no evidence of forethought felony, so he was only found guilty of manslaughter, and burnt on the hand; but the other was found guilty of murder: and though Colonel Whalley that commanded the garrison, came into the court, and urged that the man was killed only for disobeying the protector's orders, and that the soldier was but doing his duty; yet the judge regarded both his reasons and threatenings very little, and therefore he not only gave sentence against him, but ordered the execution to be so suddenly done, that it might not be possible to procure a reprieve, which he believed would have been obtained, if there had been time enough granted for it.

Another example.

"Another occasion was given him of shewing both his justice and courage, when he was in another circuit: he understood that the protector had ordered a jury to be returned for a trial in which he was more than ordinarily concerned; upon this information he examined the sheriff

about it, who knew nothing of it, for he said he referred all such things to the under-sheriff, and having next asked the under-sheriff concerning it, he found the jury had been returned by order from Cromwel; upon which he shewed the statute, that all juries ought to be returned by the sheriff or his lawful officer; and this not being done according to law, he dismissed the jury, and would not try the cause: upon which the protector was highly displeased with him, and at his return from the circuit, told him in anger he was not fit to be a judge; to which all the answer he made was, that it was very true[k]."

Hale is the first example, after sir Edward Coke, of a judge setting himself in opposition to the will of the chief executive magistrate.

Powers of Cromwel's council.

It was one of the provisions of the instrument, called the Government of the Commonwealth, that a parliament should be summoned to meet on the third of September following. It was further provided, that the protector and council should have power to raise money for the public defence, and to make such laws and ordinances as the welfare of the nation might require, previously to the meeting of parliament[l]. Cromwel looked to this interval as affording him an opportunity of giving stability to his government, and

[k] Life of Sir Matthew Hale, p. 40, *et seqq.* A curious, but garbled, account of the character of this extraordinary man may be found in North's Life of Lord Keeper North, Vol. I.

[l] See above, Vol. III, p. 596.

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acquiring for it a degree of reputation and authority, before exposing it to the uncertain element of a popular assembly.

Appointment of officers of state. Lawrence.

Colonel Henry Lawrence was, in the second sitting of Cromwel's council, nominated president for one month, and, at the expiration of that term, was appointed to retain that office till further order. He was, in point of fact, president of council during the whole period of Cromwel's protectorate. Thurloe was at the same time made secretary to the council, or, as he is frequently styled, secretary of state; and Walter Frost, the secretary under the commonwealth, was appointed to an office which is named treasurer for the council's contingencies. Philip Meadows was appointed secretary for the Latin tongue, the office formerly attributed to Milton; and Milton's name is entered in the Order Book along with these, but unaccompanied with any specification of salary, or of the business in which he is to be employed. It is directed that Frost's salary shall be four hundred, and that of Meadows two hundred pounds *per annum*[m].

Thurloe.

Frost.

Meadows.

Office of privy counsellor to continue, *quamdiu se bene gesserit.*

The constitution of this council is well entitled to

[m] Order Book, Feb. 3. It was early directed that the council should sit on Monday, Tuesday, Wednesday and Thursday, in the morning, and on Friday, both morning and afternoon, and not at other times without special direction from the lord protector. The sittings were to commence at nine, and not to continue after one; and each member, who did not appear at nine, and was absent without reasonable excuse, was to forfeit two shillings and sixpence.

our attention. The members are named in the act of government, which was always represented by Cromwel himself as of such paramount authority, that even the parliament itself was not entitled to call it in question. No one of them could be displaced but for corruption or other miscarriage in his trust; and in that case the parliament was to appoint seven of its members, and the council six, who, together with the lord chancellor, lord keeper, or commissioners of the great seal for the time being, should have power to hear and determine such corruption or miscarriage, and to award and inflict such punishment as the nature of the offence might deserve, which punishment should not be pardoned or remitted by the lord protector: the major part of the council, with the consent of the protector, being authorised in the intervals of parliament, to suspend any of their number, till the accusation against him could be heard and examined in the manner prescribed. The counsellors appointed by the act were fifteen; and the protector, with the advice of his council, might increase their number to twenty-one. But, in case of death or other removal, the parliament was to nominate six candidates for the vacant place, out of which the council might name two, between whom the protector was to elect the successor[n].

[n] Government of Commonwealth, art. 25.

BOOK IV.

1654. Legislative powers of the council.

Thus it appears that these counsellors were an integral and important part of the government; and, when we add to all other considerations the circumstance, that they acted as a legislature, and passed ordinances that were of force till parliament should otherwise direct[o], we shall find their situation to have been of greater importance than might at first be apprehended. The protector could take no considerable step, could appoint no officers, nor engage in any proceeding foreign or domestic, without the concurrence of his council[p]; so that the government of the country, though nominally in a single person and the parliament, seemed to be to a great degree an aristocracy.

Importance of the trust reposed in them.

This was the bribe which Cromwel gave to these fifteen persons, to bind them in the closest ties to his system of government. Various projects had been afloat on the subject; and among other things it had been rumoured, that Lambert was to have been made commander in chief and a duke, St. John lord treasurer, sir Anthony Ashley Cooper lord chancellor, and lord Say chamberlain of the houshold[q]. These appointments were not made, nor probably thought of seriously: but it was to be presumed that fifteen persons, who shared among them so largely the executive government of England, a

[o] Ibid. art. 30.

[p] Ibid. art. 3, 4, 5, 11, 23, 34.

[q] Thurloe, Vol. I. p. 645.

station from which they could not be displaced without accusation and proof, would not lightly part with an authority so gratifying and so splendid[r]. 1654.

Imposts continued.

The first ordinance enacted by the protector and council, was for continuing the duty of excise, and another impost, till the twenty-fifth of March[s].

Repeal of the engagement.

Another measure which early drew their attention, was the repeal of the engagement, to be true and faithful to the commonwealth of England, as then established, without king or house of lords. This obligation was first voted on the twenty-second of February 1649[t], but was not enjoined by a law, directing that it should be subscribed generally throughout the nation, till the second of January following[u]. It was in reality the pledge and pillar of a republican government. In the declaration published by Barbone's, or the Little Parliament, when they entered upon their functions, we find the first relaxation from this principle, couched under the ambiguous phrase, "We are very tender of pressing covenants or en-

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[r] It will be seen however that, at a subsequent period, Cromwel sometimes proceeded in the most important matters, without an order of council, and, as it should seem, without consulting his assessors of state.

[s] Scobel, 1651, cap. 1.

[t] See above, Vol. III, p. 30. It is there by mistake spoken of as an act, but it was a vote merely.

[u] Scobel, 1649, cap. 67.

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gagements[w]". And, on the twentieth of October 1653, a bill was brought into that parliament from a committee, and presented by sir Anthony Ashley Cooper, for annulling the engagement, but was rejected[x]. An act therefore for taking away one of the penalties on non-subscribers was substituted in its room[y]. Now however, under the protectorate, one of the first ordinances promulgated by Cromwel and his council had for its object the repeal of this obligation[z].

Law of treason.

Another ordinance of no small significance which was passed at the same time, consisted in an enumeration of several offences which should be taken and adjudged to be treason. These were to compass or imagine the death of the lord protector, to raise forces against the present government, to deny that the protector and the people assembled in parliament are the supreme authority of the nation, or that the exercise of the chief magistracy is centred in him, or to affirm that the government is tyrannical, usurped or illegal, or that there is any parliament now in being: also, the proclaiming, or in any wise promoting, any of the posterity of the late king to be king or chief magistrate of England, Scotland, or Ireland, or any of the dominions thereto belonging[a].

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[w] See above, Vol. III, p. 541.

[x] Journals.

[y] Ibid. Nov. 4.

[z] Scobel, Jan. 19.

[a] Hughes, Abridgment of Acts and Ordinances, p. 523.

1654. Ordinances of union and of oblivion for Scotland.

The next ordinances of moment that were published, were the ordinance of union between England and Scotland, and that of grace and oblivion to the people of Scotland which formed its proper companion. These laws had been originated in the time of the Long Parliament; the act of union had been read twice in April 1652[b], and that of oblivion on the thirteenth of February 1653[c]; but neither of them had been clothed with the full character of laws, till by the act of council of the twelfth of April of the present year[d]. Among the persons excepted from pardon were nine earls, two viscounts, and five barons.

Other ordinances.

Other ordinances, enacted by the same authority, which deserve to be mentioned, are one for bringing the public revenues into one treasury, passed on the twenty-first of June, two for the distribution of persons to be chosen to serve in parliament for Scotland and Ireland, of the twenty-seventh of the same month, one for commissioners to approve of public preachers, of the twentieth of March, and one for the ejection of scandalous, ignorant and insufficient ministers, of the twenty-eighth of August[e].

Religious system of Cromwel.

To understand the principle of these two latter measures we must consider Cromwel in two points

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[b] See above, Vol. III, p. 320. [c] Journals.

[d] Scobel, 1654, cap. 8, 9.

[e] Ibid, 1653, cap. 16: 1654, cap. 28, 33, 34, 45.

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1654. Toleration.

of view. He was, to a degree truly astonishing for the times in which he lived, the liberal and determined friend of toleration. But this arose from no lukewarmness and indifference in the choice of his creed. He was a sincere and a zealous Christian according to his own interpretation of Christianity; but he did not regard persecution as the fit or becoming mode of bringing over other men to the adoption of his faith; and he considered the rights of conscience as sacred. "Who art thou," he demanded with the apostle, "who judgest another man's servant? To his own master he standeth or falleth." Cromwel was therefore decidedly of opinion, that no one was to "be restrained, but protected in the profession of his faith, and exercise of his religion, provided this liberty were not extended to popery and prelacy[f]."

Preachers maintained from the public revenue.

But, beside the question of tolerating all men in their own modes of worship, there was another. By the laws of England there was a considerable revenue set apart for the maintenance of true religion; and Cromwel thought that it behoved the civil magistrate to see that this revenue was duly appropriated, and by this means to provide for the morals, the rectitude and integrity of the people. He was not in this point, any more than in the other, actuated by the spirit of a perse-

[f] See above, Vol. III, p. 597.

cutor; but he held that scandalous, ignorant and insufficient ministers ought not to be maintained out of the public revenue. This point the rather called for attention, since by the existing laws patrons possessed the right of presentation, or, in other words, a large landed-proprietor had an opportunity of providing for his needy relative or dependent, without having any regard to the wishes, the wants, or the welfare of those who were to be placed under his care and instruction.

Commissioners to approve public preachers.

The commissioners under the ordinance for the approbation of public preachers were thirty-eight, nine laymen, and the rest divines, some independents, some presbyterians, and two or three anabaptists. At the head was Francis Rous, provost of Eton, and one of the protector's council. To him were joined Owen, Goodwin, Caryl and Lockyer, Cromwel's favourite preachers, Hugh Peters, Philip Nye, Peter Sterry, Marshal, Manton, major-general Goffe, and others. They were empowered to examine the qualifications of such as should be named to benefices, as well as of such as had been presented since the first of the preceding April [g]. Some of the presbyterian divines declined acting under this authority.

Their names.

Commissioners to eject scandalous and insufficient ministers.

The second ordinance was more extensive in its retrospection, and was intended to purge the church-establishment of insufficient and unworthy

[g] Scobel, 165$\frac{3}{4}$, cap. 16. Neal, Vol. IV, chap. iii.

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clergy, at whatever period they might have been inducted into their livings. It appointed commissioners from fifteen to thirty in each county, to carry the ordinance into execution, to hear complaints against all clergy, and to deprive such as should be proved guilty of maintaining the principles condemned in the act against atheistical, blasphemous and execrable opinions, or of profane cursing and swearing, and perjury, or of adultery, fornication, drunkenness, common haunting of taverns and alehouses, and frequent playing at cards or dice, such as should publicly and profanely scoff at the profession or professors of religion and godliness, or should encourage and countenance whitsun-ales, wakes, morris-dances, may-poles, and stage-plays, such as should hold or maintain popish doctrines, or frequently and publicly read the book of Common Prayer, or should have declared by writing, preaching, or otherwise their disaffection to the present government, and such as should be non-resident, or should be accounted negligent, and omit the duties of praying and preaching.

Their names.

The commissioners were some of the most distinguished men in their respective counties, not omitting many that were disaffected to the usurpation of Cromwel: among others, lord Fairfax, lord Wharton, lord Say, Samuel Browne, Thomas Scot, sir Arthur Haselrig, sir Robert Harley, and Robert Blake, together with most of the members

of the council, Henry Lawrence, viscount Lisle, sir Gilbert Pickering, sir Charles Wolseley, sir Anthony Ashley Cooper, Lambert, Skippon, Sydenham and Major. Here likewise we find the names of Richard lord Cromwel and Henry lord Cromwel, sons of the protector. The ordinance also named eight or ten clergy for every county, who were to be joined to the lay-commissioners in all questions of ignorance and insufficiency. The principal of these was Owen. The celebrated Richard Baxter, the presbyterian, is also included [h]. 1654.

The power invested in these persons was summary; and it was of course impossible they should escape censure. Bishop Kennet says, "This holy inquisition was turned into a snare to catch men of probity and sense and sound divinity, and to let none escape but ignorant, bold, canting fellows [i]:" but it has been observed that none of these canting fellows were turned out for insufficiency at the Restoration [k]. Bates, in his Elenchus Motuum [l] states, that the commissioners enquired more narrowly into their affection to the present government, and the internal marks of the grace of God in their hearts, than into their learning; by which means many ignorant

Their conduct.

[h] Scobel, 1654, cap. 45.

[i] Complete History of England, Vol. III, p. 192.

[k] Neal, Book IV, chap. iii. [l] Part II, p. 194, 195.

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laics, mechanics and pedlars were admitted: but the same answer may be given to Bates, as to the bishop.

Conduct of Owen.

No doubt the commissioners fell into sundry mistakes, which were scarcely to be avoided in their situation. In a letter of Owen to secretary Thurloe on this occasion he thus writes, "There are in Berkshire some few men of mean quality and condition, rash, heady, enemies of tithes, who are [among] the commissioners for the ejecting of ministers. These alone sit and act, and are at this time casting out on slight and trivial pretences very worthy men; one in especial they intend the next week to eject, whose name is Pocock, a man of as unblameable conversation as any that I know living, of repute for learning throughout the whole world, being the professor of Hebrew and Arabic in our university; so that they do exceedingly exasperate all men, and provoke them to the height[m]."

Treatment of Pocock.

Not satisfied however with writing to Thurloe, Owen repaired, accompanied by Wilkins, Wallis, and Ward, afterwards bishop of Salisbury, three of the most distinguished characters in the university, to the place where the commissioners were to sit, to expostulate with them. Owen in particular set before them in the strongest terms the infinite contempt and reproach that would

[m] Thurloe, Vol. III, p. 281.

fall on them, when it should be said, that they had turned out a man for insufficiency, whom all the learned, not of England only, but of Europe, so justly admired for his vast knowledge and extraordinary accomplishments [n]. It is needless to say that this expostulation was successful. CHAP. III. 1654.

An anecdote is related of Fuller, the church-historian, of a similar nature. Fuller received notice that he should be cited before the commissioners, and, in this emergency, applied to his friend, John Howe, chaplain to Oromwel, and one of the most eloquent writers of his time, to know how he should conduct himself. You must have observed, said Fuller, that I am a pretty corpulent man, and I am to go through a passage that is very strait; I beg that you would be so kind, as to give me a shove, and help me through. Howe accordingly suggested to him the most suitable advice. And, when the commissioners came to propose the question, which formed the pith of their examinations, Whether he had at any time experienced a work of grace on his soul, Fuller replied, that he could appeal to the great searcher of hearts, that he had on all occasions made conscience of his very thoughts: with which answer the commissioners expressed themselves satisfied [o]. of Fuller.

[n] Life of Pocock, prefixed to his Theological Works, p. 41.

[o] Life of Howe, by Edmund Calamy, p. 20, 21.

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1654. Judgment of Baxter respecting the commissioners.

Baxter, who was one of the commissioners, but who, being a presbyterian, and dissatisfied with Cromwel, seldom acted, unless in cases, as he says himself, where he conceived he should be instrumental in preventing mischief, yet gives them this testimony. "They saved many a congregation from ignorant, ungodly, drunken teachers, that sort of men who intend no more in the ministry than to say a sermon, as readers say their common prayers, and so patch a few good words together to talk the people asleep on Sunday, and all the rest of the week go with them to the alehouse, and harden them in sin; and that sort of ministers who either preach against a holy life, or preach as men that were never acquainted with it: these they usually rejected, and in their stead admitted any, that were able, serious preachers, and lived a godly life, of what tolerable opinion soever they were. So that, though many of them were somewhat partial to the independents, separatists, fifth-monarchy men and anabaptists, and against the prelatists and arminians, yet so great was the benefit, above the hurt which they brought to the church, that many thousands of souls blessed God for the faithful ministers whom they let in, and grieved when the prelatists afterward [in August 1662] cast them out again[p]."

Ordinance regulating the court of chancery.

On the twenty-first of August a very singular

[p] Life of Baxter, Part I, p. 72.

and elaborate ordinance was passed, for the purpose of simplifying the process, and reducing the expences of the court of chancery, consisting of no fewer than sixty-seven clauses or provisions [q]. Thus the protector and his council shewed that they deemed themselves thoroughly competent, as well in authority, as in judgment and information, to legislate for the people of England, in all points that seemed to stand in need of legislative interference. It is sufficiently remarkable that they proceeded in the functions of legislation to the latest period, and that fifteen of their ordinances are of a date subsequent to that for the ejection of scandalous, ignorant and insufficient ministers, of the twenty-eighth of August, the last twelve bearing date the second of September [r], the day before that on which the parliament was summoned to meet.

Forms observed in making ordinances.

It is further curious to observe, that the council, in passing bills, exactly copies the forms that were used in the two houses of parliament: every bill is read twice, then referred to a committee, which committee ordinarily consisted of three persons, of whom two are a quorum, afterwards read a third time, and lastly presented to the protector as the advice of the council, and by him passed for a law, and ordered to be printed

[q] Scobel, 1654, cap. 41.

[r] Scobel.

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and published[s]. When we recollect that the members of the council, if full, amounted to fourteen only, for Fleetwood was in Ireland, there appears to be a poorness and meanness of conception in this servile imitation.

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[s] Order Book, *passim*.

CHAPTER IV.

SITUATION OF CROMWEL WITH REGARD TO FOREIGN POWERS.—PEACE WITH HOLLAND AND DENMARK.—WITH PORTUGAL.—DON PANTALEON SA, BROTHER TO THE PORTUGUESE AMBASSADOR, BEHEADED.—TREATY WITH SWEDEN.

1653. Cromwel's acceptance with foreign states.

When Cromwel took upon him the chief magistracy of England, he gained as to all other countries, however he might appear in some respects to lose with regard to his own. The transactions of cabinets and states with each other are most expeditiously carried on where there is a single head. Inter-national questions are adjusted with greater facility; and different powers seem more clearly to understand each other's views and intentions. Cromwel had been ever since June 1650, commander in chief of the armies of England; and therefore persons in foreign countries unavoidably looked upon him as in a degree the head of the state. His abilities were well known; his military successes had been uninterrupted. Though he was not born to a crown, he was in an uncommon degree worthy of one, and well qualified to discharge all the functions of a

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sovereign. The princes of the continent therefore were best pleased to see him seize the unoccupied sceptre, and seat himself on the same level as themselves.

Considerations on the Dutch war.

Meanwhile Cromwel saw the number of his adversaries increasing on every side at home. The episcopalian royalists and the presbyterians formed a very large part of the nation: and now, in addition to these, he had offended the soberest of the republicans by the dispersion of the Long Parliament, and another body of men by no means to be despised, the anabaptists, by assuming the character and the name of the chief civil magistrate. He held it therefore necessary, as soon as possible, to free himself from the pressure of foreign enemies. He had fully concurred with the religious sectaries last named, in the project of reducing Great Britain and the United Provinces into a great federal republic, with one legislative assembly deciding upon the paramount interests of both. This sort of comprehensive procedure was peculiarly congenial to the minds of Cromwel and Ireton, as well as to those of the men who had principally directed the proceedings of the commonwealth-parliament. He had personally entered into a long expostulation on the subject with the Dutch deputies on the second of August last[a].

[a] Le Clerc, Histoire des Provinces Unies, Tom. II, p. 340.

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Now however he felt it so deeply his interest to conclude a peace with Holland, that he was willing to waive this question, which would necessarily be a topic of long discussion, if not of insuperable difficulty. The Dutch were not less anxious than he to put an end to the destructive maritime war, in which they had now been engaged for nearly two years; and it was accordingly understood that the peace was substantially concluded early in January. They were contented to cede the question of the flag, to exclude from their territories the enemies of the English government, to stipulate for a treaty of mutual defence, to punish the survivors, if any, of the aggressions at Amboyna, and to yield such a compensation as should appear to be just for the losses sustained by the English East India company. Some difficulties however remained to be adjusted. A difference arose respecting the manner in which Denmark was to be included in the treaty; and the Dutch ambassadors withdrew, that they might obtain new instructions on the point. But Cromwel sent after them, and gave up his objection. This occurred in the month of January [b].

1654. Treaty of peace, articles agreed on.

The whole progress of this negociation is calculated to illustrate the energy of the mind of Cromwel, and the awe with which foreign powers

Ascendancy of Cromwel in the negociation.

[b] Thurloe, Vol. II, p. 29. Lettres de Jean de Wit.

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regarded him. He abandoned the question of a national union between England and the United Provinces; but the treaty abounds in a very singular degree with the expressions of a perfect alliance. It stipulates, that there shall be "a true, firm and inviolable peace, and a sincere, close and intimate friendship, affinity, confederacy and union" between the two republics, that the friends of the one shall be regarded as the friends of the other, and that they shall espouse each other's quarrels [c].

Style of the treaty.

Settlement of the English claims upon Denmark.

The treaty was negociated at Westminster. That perhaps is not material: treaties of peace or alliance must in most cases be agreed on within the territories of one of the coalescing parties. But the Dutch consent to an arbitration of two English and two Dutch referees on the injuries which England had sustained from the proceedings of Denmark [d]; and they engage in a bond with sufficient sureties, of one hundred and forty thousand pounds, to make good such damages as the referees should agree on. The referees were to sit at Goldsmiths' Hall in London, to commence their deliberations on the twenty-seventh of June, and, if their investigations were

[c] Dumont, Corps Diplomatique Universel, Tom. VI, Partie II, Traité xvii. Collection of Treaties, 1732, Vol. III, p. 67, *et seqq.*

[d] See above, Vol. III, p. 393.

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not closed by the first of August, to be shut up at that time without fire, candle, meat or drink, till they came to a conclusion. In like manner four commissioners from each side were to meet at London on the eighteenth of May, to examine the mutual complaints of the English and Dutch for aggressions in the East Indies, ever since the year 1611. They were allowed three months for this business; and, if it were not then concluded, it was to be referred to the arbitration of the Protestant Swiss cantons. Judgment was given on the Danish question on the thirty-first of July; and the award was for the sum of ninety-eight thousand pounds[e]. The question of the English and Dutch in the East Indies was finished on the thirtieth of August; and the decree was, that the Dutch should restore to the English the isle of Poleron, and pay a sum of eighty-five thousand pounds to the English East India company, beside a further sum of three thousand six hundred pounds to certain individuals who had been aggrieved[f].

of the Dutch aggressions the East Indies.

There was another article in the treaty that was more obstinately debated. Cromwel insisted, that the Dutch should expressly engage that nei-

Article against the prince of Orange insisted on,

[e] Dumont, *ubi supra*, Traité xxiv. Collection of Treaties, p. 112, *et seqq.*

[f] Dumont, *ubi supra*, Traité xxv. Collection of Treaties, p. 119, *et seqq.*

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ther William, prince of Orange, now little more than three years old, nor any of his descendants, should ever be raised to the office of stadtholder, admiral of the navy, or captain general of the troops of the United Provinces, or be made governor of any town, castle or fortress within their territories. The mother of this prince was the eldest daugter of Charles the First; and William the Second, her husband, who died in 1650, had shewn himself so conspicuously the attached partisan of the Stuart family, that Cromwel alleged there could be no cordial alliance between England and Holland, unless this article were admitted. The stadtholderate had been expressly abolished by the states general; but the partisans of the house of Orange were still numerous in the United Provinces, and Cromwel felt the most lively jealousy lest they might again acquire the ascendancy.

Circumstances which favoured Cromwel's demand.

Circumstances in an extraordinary degree favoured his demand. The war with England was so unpopular among the Dutch nation, and had been attended with so many disasters, that they were ready to submit to almost any terms to put an end to it. Add to this, that the present prevailing party in Holland entertained no less animosity to the house of Orange, than that with which Cromwel was animated; and John De Wit, who had been chosen pensionary in the pre-

ceding year on the death of Pauw, perfectly coincided in his wishes with the English protector. It does not appear however that there was any concert on this head between these accomplished statesmen. Cromwel merely saw the vantage-ground on which he stood in urging his demand, and persisted accordingly.

It is accepted by the states of Holland.

His proposition however was peremptorily rejected by the states general. A great majority of the provinces were adverse to it. He therefore changed his mode of proceeding. The other articles of the treaty were already settled: and Cromwel offered to sign the peace as it was, provided the Dutch ambassadors engaged in writing, that the provincial states of Holland, equal in weight and authority to the other six, should agree to the condition, without demanding the concurrence of the rest. This alternative was accepted. The peace was formally signed in London on the fifth of April, and proclaimed on the seventeenth; but the ratifications were not exchanged. The states of Holland were reluctant to set themselves in express opposition to the states general. The ambassadors wrote home that the stability of the peace absolutely depended upon this secret condition; and it was at length voted by the provincial states on the fourth of May. Holland however still delayed the delivery of the article, and expressed an anxious wish, if possible to escape from this formality. The ambassadors had a

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conference of three hours with Cromwel on the twenty-second for that purpose; and he did not finally carry his point till the fifth of June[g].

1651. Negociation with Portugal.

The question of a peace with Portugal seems to have gone off upon matters of slight or inferior importance, in the spring of the year 1651[h]; and the Long Parliament imperiously ordered Guimaraes, the ambassador, to quit the territories

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of the commonwealth in fourteen days[i]. The young and unsettled cabinet of Lisbon however, who had so recently shaken off the Spanish yoke, found it indispensible to the placing their power and commerce upon a firm foundation, that they should have the commonwealth of England for allies, instead of enemies; and accordingly a new ambassador, the conde del Sa, great chamberlain of the kingdom of Portugal[k], was sent to England in the following year. He had his first audience of the parliament on the thirtieth of September[l]; and it was remarked that he came in greater state to this audience, than any ambassador had ever done before from the commencement of the commonwealth[m]. The basis of the negociation was

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[g] Narration de Fait, *apud* Resolutions Secretes des Etats de Hollande pendant le Ministere de J. de Wit, p. 44—56. These latter dates are according to the new style, and of consequence are ten days later than the English computation.

[h] See above, Vol. III, p. 370.

[i] Journals, May 16.

[k] E. Philips, p. 621.

[l] Journals.

[m] Whitlocke, Sept. 30.

the admission of those points on the part of Portugal, to which Guimaraes had demurred[n]; and the preliminaries were accordingly settled before the close of the year[o]. 1652.

1654. Definitive treaty.

An interval of more than eighteen months occurred between the adjustment of the preliminaries and the signature of the definitive treaty. This interval was distinguished by the dispersion of the Long Parliament, the fugitive reign of the Little Parliament nominated by Cromwel, and the institution of the protectorate.. But none of these convulsions produced any change in the disposition of the court of Lisbon to ratify the treaty[p]. Cromwel, we are told[q], already contemplated the commencement of hostilities against Spain, and therefore added this to all his other

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[n] See above, Vol. III, p. 370.

[o] Dumont, Tom. VI, Partie II, Traité xxiii. Collection of Treaties, Vol. III, p. 108. Journals, Jan. 5, 11.

[p] The payment of the sum of one hundred and eighty thousand pounds on the part of the king of Portugal, towards defraying the expence of the armament we had fitted out to punish the aggression of that court in allowing to the princes Rupert and Maurice the protection of their harbours for the revolted vessels of the English fleet (See above, Vol. III, p. 357, 358, 370), is not stipulated for in the definitive treaty. Clarendon (Vol. III, p. 490), and Kennet (Complete History of England, Vol. III, p. 192), both admit, that Cromwel forced the Portuguese to pay a great sum of money on this account.. The payment was probably made in the interim between the adjustment of the preliminaries and the signing of the definitive treaty.

[q] St. Priest, Histoire des Traités, Tom. I, p. 19.

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inducements to the engaging in strict alliance with the enemies of that power.

1653. Assassination perpetrated by the ambassador's brother.

Meanwhile a memorable circumstance occurred on the twenty-second of November, well calculated to illustrate the firmness of those who had the direction of affairs in this country. An accidental dispute having arisen the day before in the New Exchange, in the Strand, between Don Pantaleon Sa, brother to the Portuguese ambassador, and an English gentleman, named Gerard, a scuffle ensued; but the combatants were separated. On the twenty-second the foreigner returned with twenty companions, and assaulted and killed another gentleman, whom he mistook for Gerard[r]. His purpose, as he believed, being effected, he took refuge in the house of the ambassador. But, that minister, after having in vain pleaded the privilege due to him in that character, was obliged to surrender the assassin and his accomplices, who were immediately committed to Newgate. Their trial did not take place till the fifth of July, and Don Pantaleon and another were executed for the offence on the tenth. To render the circumstance the more memorable, it was so contrived that the ambassador signed the definitive treaty in the morning, and his brother was beheaded in the afternoon[s].

1654. He is beheaded.

Definitive treaty signed.

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[r] Whitlocke. Clarendon, Vol. III, p. 493.

[s] Whitlocke. Thurloe, Vol. II, p. 439.

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The treaty with Sweden was framed about the same time with the treaties with Holland and Portugal. In this alone Cromwel appears to have departed from the imperious tone he had assumed in the preceding instances. In the first place we had nothing to complain of on the part of Sweden. In the next place the gallantry of Cromwel appears to have been concerned. Sweden was governed by a young princess, only twenty-eight years of age, the daughter of a hero (Gustavus Adolphus), and who had already become distinguished throughout Europe for her learning and patronage of literary men[t]. Add to which, in the great division of the European governments into Catholic and Protestant, Sweden was at this time the most considerable of the Protestant monarchies with which we were called upon to ally ourselves.

1654. Treaty with Sweden.

Deferential spirit of Cromwel.

The first fruits of this favourable disposition displayed themselves in the summer of the preceding year. Viscount Lisle first, and afterwards

1653. Embassy of Whitlocke.

[t] See above, Vol. III, p. 243, 244. Cromwel sent his portrait to queen Christina, inscribed with a Latin epigram, supposed to be the production of Milton, the sense of which is as follows. "Virgin, powerful in war, queen of the frozen north, bright star of the pole, you see what furrows the toils of the field have traced in my brow, while, already old in appearance, I still retain the energies of a soldier, and pursue the untried paths of fate, executing the heroic behests of that country with whose welfare I am intrusted. Yet to you I willingly smooth the sternness of my feature; nor shall the royal Christina find that I at all times regard the possessor of a throne with severity." Milton, Epigramma 13.

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1653. Whitlocke, had been named to be sent ambassador to the court of Christina[u]. Subsequently Cromwel found that the presence of Lisle would be more useful to him at home, whose name was shortly after placed first in the list of the protector's council in the act of government; while he rather wished for the absence of the grave and circumspect Whitlocke at the critical period of this revolution. Whitlocke therefore received his instructions in October, and embarked at Gravesend on the fifth of November[x].

1654. Conclusion. The treaty was not exposed to many difficulties. The Swedish government felt the desirableness of a state of amity with Great Britain; and the character and successes of Cromwel inspired them with unfeigned respect. The news of his accession to the protectorate reached the queen in less than a month from the event. The proposition that Whitlocke carried, was that of a treaty of commerce, and a prohibition of protection and favour to the enemies of either. Upon this point only Christina hesitated. She also desired that the peace with Holland should precede the conclusion of her own treaty. When that business was considered as finished, the articles received their confirmation on the twenty-eighth of April;

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[u] Journal of the Swedish Ambassy, by Whitlocke, Vol. I, p. 2. See above, Vol. III, p. 569.

[x] Journal of Ambassy.

and Christina resigned her crown one month after[y]. The treaty however had had the approbation of Charles the Tenth, her successor, and therefore sustained no interruption from the change of the sovereign. CHAP. IV. 1654.

[y] Ibid. Vol. II, p. 113.

CHAPTER V.

DISAFFECTION OF THE ANABAPTISTS.—CABALS OF THE ROYALISTS.—HENRY CROMWEL SENT INTO IRELAND.—MONK INTO SCOTLAND.—MOSS-TROOPERS.—OVERTON RECALLED FROM SCOTLAND.—AMBIGUOUS PROCEEDINGS OF ALURED AND OTHERS.

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1659. Dismission of Harrison.

NEVER certainly was there a government more active and vigilant than that of Cromwel; and he needed all his energies in that sort to defend himself against his multiplied adversaries. Among the republicans, his most determined foes were the anabaptists; and the most distinguished man in this sect, was Harrison. Cromwel and Harrison had lived in cordial friendship. The former had received the zealous assistance of the latter, in the bold and critical measure of dispersing the Long Parliament. But, when Cromwel advanced a step further, and claimed to be the single person who should hold the office of executive magistrate, Harrison became his steady opponent. In addition to the love of liberty and equality which inspired Vane and Bradshaw and Marten, he held the government of a single person to be in

irreconcilable hostility to the spirit of the Christian religion. "The kings of the Gentiles," says Christ, "exercise lordship over them; and they that exercise authority upon them are called benefactors: but ye shall not be so; but he that is greatest among you, let him be as the younger, and he that is chief as he that serveth[a]." The new government was constituted on the sixteenth of December; and, a few days after, Cromwel caused Harrison to be applied to, to know whether he could own and act under the present power. Harrison with his customary frankness answered that he could not; and his commission was in consequence taken from him[b].

Proceedings of Christopher Feake and others.

A political meeting of the anabaptists had been for some months held in Black Friars every Monday evening, which had attracted considerable notice by the daringness of its projects and the intemperance of its language[c]. On Sunday, December the eighteenth, two days after that in which Cromwel was installed lord protector, Christopher Feake and Vavasor Powel, two of their most celebrated preachers, held forth in their sermons against him, denouncing him as a perjured villain, and desiring that, if any of his friends were present, they would go to him, and tell him in their name, that his reign would be short, and

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[a] Luke, Chap. xxii. ver. 25.

[b] Thurloe, Vol. I, p. 641.

[c] Ibid. p. 442, 591, 621.

BOOK IV. 1653. his end more tragical than that of the great tyrant, the last lord protector of England [Richard III][d]. These preachers were in consequence brought before the council in custody on the twenty-first[e], but after two days' examination were discharged on the twenty-fourth[f]. It was at the same time ordered that the weekly meet-
1654. ings at Black Friars should be suppressed[g]. At the end of the following month, Feake, and another preacher, of the name of Simpson, were again apprehended, and, after a short deliberation, sent prisoners to Windsor Castle[h]. At the same time a mandate was issued for Harrison to retire to his native county of Stafford[i].

Plot of the royalists. The first plot that fell under the animadversion of Cromwel and his council was in February, and the conspirators consisted entirely of royalists. On the fourteenth, eleven persons were taken into custody at a tavern in the Old Bailey, the most distinguished of whom were a Mr. Thomas Dutton, and a son of Bunce, who was one of the four aldermen impeached by the independents in 1647[k], and was now in exile with Charles the Second. They were sent to the Tower on the eighteenth, and the same day an account of the conspiracy was published by authority[l].

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[d] Thurloe, Vol. I, p. 641. [e] Order Book.
[f] Several Proceedings, No. 223. [g] Order Book, Dec. 23.
[h] Ibid. Jan. 25, 28. [i] Ibid. Feb. 3. [k] See above, Vol. II, 392.
[l] Reprinted in Several Proceedings, Feb. 23.

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Their project is said to have been, to have engaged the genuine royalists in all the counties of England, and to name as many officers as should undertake for the enlisting of thirty thousand men. The whole were to rise in all parts at once, and the protector and his council were to be assassinated. The day first fixed on was the eighth, Cromwel being to be murdered as he went into the city to dine that day in state with the lord mayor and corporation; but it was postponed, because Charles was not yet in England. The plan was to seize St. James's, Whitehall, and the Tower, that the king was to be ready in some private place in London to be brought out, crowned and proclaimed, that then declarations were to be sent throughout the nation, announcing that he was received in the city without mentioning the means, that puritans and protestants were every where to be strictly put down, and catholics to be allowed the free exercise of their religion [m].

Way in which it was proposed to conduct it.

February 8.

It is apparent that this plan was but rudely concocted; and accordingly we do not find that any person was judicially brought to account for the conspiracy. It can scarcely be considered as more than the wild talk of individuals, abundantly stimulated with zeal, but possessing no

Its miscarriage.

[m] Treasonable Plot Discovered. Several Proceedings, Feb. 23. Thurloe, Vol. II, p. 95, 151.

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probable means to carry their desires into execution.

1654. Henry Cromwel sent into Ireland.

Cromwel's attention at this time was turned much on the anabaptists; and to counteract the operation of their discontents he sent his son Henry into Ireland, and Monk into Scotland. Henry Cromwel was a young man of promising talents, and was supposed to be the favourite son of his father. He was born in the year 1628, and was early placed by Cromwel in the army of the parliament. He accompanied his father in his Irish campaign, at which time he had risen to the rank of a colonel. In Barbone's parliament he was appointed one of the representatives for Ireland, and was, as well as his elder brother Richard, in the list of commissioners for ejecting scandalous and insufficient ministers, appointed in the August of the present year[n]. On the sixteenth of February he set out for Ireland[o], and arrived at Dublin on the fourth of March[p]. His instructions appear to have been to observe in the counties through which he travelled from London to Holyhead, as well as in Ireland, how the people, and the army in particular, stood affected to the present government[q].

State of the government in that country.

The office of commander in chief in Ireland was now in the hands of Fleetwood, who had

[n] See above, p. 39.
[o] Several Proceedings, Feb. 23.
[p] Thurloe, Vol. II, p. 162.
[q] Ibid. p. 149, 162.

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married the widow of Ireton and was of consequence son-in-law to the protector[r]. But he was considered as favouring the anabaptists, and on that account was regarded by Cromwel with an eye of suspicion. Ludlow, the second in command, was a zealous republican, and, as he tells us[s], had subscribed with hand and heart, the engagement to be true and faithful to the commonwealth, as established in 1649 without king or house of lords. Others of the members of the government of that country were considered as entertaining similar sentiments; and when it was put to the vote in January, in a meeting of the commissioners with three or four principal officers of the army, whether they should proceed without delay to proclain the lord protector, it was carried in the affirmative by a single voice[t]. From that time Ludlow withdrew himself from the civil government, and continued to act in his military capacity only[u].

Success of Henry Cromwel in his mission.

The stay of Henry Cromwel in Ireland was short; not exceeding three or four weeks. Fleetwood had a real attachment to his father-in-law. The visit of the young man, so far as related to the commander in chief, was most opportune: the bland and complying, but somewhat irresolute disposition of Fleetwood, was easily fixed

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[r] See above, Vol. III, p. 324.

[s] p. 481.

[t] Ludlow, p. 482.

[u] Ibid. p. 486.

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in the interests of the protector. The courteous manners of Henry, his faultless character, his exemplary duty, and his admirable good sense, did wonders in fixing the yet wavering minds of the settlers. He was received with enthusiasm; and every day that he staid, served to strengthen and confirm the impressions which his first appearance had awakened [x].

Monk appointed to the command in Scotland.

Monk was sent to Scotland, as Henry Cromwel had been to Dublin, to counteract the intrigues of the anabaptists; Robert Lilburne, the commander he superseded, being an adherent of that party [y]. He arrived about the twenty-third of April [z]. His abilities, and his character for firmness and constancy, were however no less required to suppress the discontented and unquiet royalists, than to keep down the republicans, who were disgusted at Cromwell's usurpation.

1653. Moss-troopers.

Scotland had been totally subdued by this commander, together with Morgan and Overton, who served under him, in the year 1651 [a]. But the delay of the acts of union and grace had generated uneasiness and dissatisfaction in the nobility and others who had fought for the king [b]. The earls of Glencairn and Balcarras, it being suggested to them that orders were out for appre-

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[x] Thurloe, Vol. II, p. 162.
[y] Ibid, Vol. II, p. 414.
[z] Skinner, Life of Monk, Chap. V.
[a] See above, Vol. III, p. 309.
[b] Ibid. p. 566.

hending them, retired to the hills. Here they were joined by Kenmure, lord Lorn, son to the earl of Argyle, Glengary, Athol and Seaforth. This was in the month of June 1653[c]. The insurrection for some time appeared to be formidable. The Scots were dissatisfied with the foreign jurisdiction that was set up over them, and for the most part hostile, both in politics and religion, to their southern rulers. A practice generally and successfully prevailed among the adherents of the exiled prince, of secretly taking possession of the best horses, and sending them off to the Highlands. The insurgents mounted on these horses, and returned in small parties to the plains[d]. They were better acquainted than their invaders with the fastnesses and secret paths of the country, and became known by the name of Moss-troopers, from the mosses or bogs with which that part of the country abounded. These swamps were intersected with paths here and there of a firmer texture, not discernible to an unpractised sight. The insurgents having seized their booty, or made their depredations, and often having even assaulted and killed the stragglers of the English in places where the approach of an enemy was least apprehended, withdrew by these paths to their fellows, while the English in at-

CHAP. V. 1653.

[c] Baillie, Vol. II, p. 377.

[d] Ibid. Whitlocke, Oct. 14, Dec. 13. Burnet, Own Time, Book I.

BOOK IV. 1653.

tempting to follow them, were frequently swallowed up and destroyed by the treacherous nature of the soil.

Progress of the insurrection.

An uninterrupted series of these petty successes gave courage to the wilder inhabitants, while it perplexed and disheartened the foe. The progress of the insurgents however was checked by misunderstandings and ill-blood among their leaders. Glencairn produced a commission from king Charles, authorising him to command in Scotland till the arrival of himself or some superior officer: but this, instead of appeasing their debates, had rather the effect of giving an object and an individual direction to their jealousies. Particularly there was a furious strife between Glencairn and Lorn, who belonged to opposite parties, in addition to which Glencairn held it just that Lorn should suffer for the delinquencies of his father to the royal cause. Balcarras, involved in the same dispute, retired to the continent [e]. But, notwithstanding these unfavourable circumstances, the numbers of the insurgents, animated by the spoils they carried off, went on to increase; so that, by the end of the year, they amounted by Whitlocke's reckoning to three thousand, and by their own writers are put down as ten or twelve thousand men [f].

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[e] Baillie, p. 377, 378. Burnet, *ubi supra.*

[f] Whitlocke, Dec. 31, Feb. 28. Baillie, p. 378.

CHAP. V.

In this state of things the court of the exiled king sent over Middleton, who had been second in command at the battle of Worcester, to take on him the direction of affairs[g]. On his arrival the insurgents grew stronger, and every where outnumbered the English that were marched against them[h]. He had not proceeded far however in his undertaking, before Monk appeared in the field. Monk seems at this time to have been equally skilful and untemporising in his warlike proceedings by land, as by sea. He had no sooner proclaimed the protector with the usual forms and rejoicings[i], than, dividing his forces into two bodies, having about two thousand five hundred foot and six hundred horse in each, under himself and Morgan, he marched directly for the Highlands. Here they encountered great privations[k], with which the patience and hardiness of his character peculiarly fitted him to struggle. At the same time by Cromwel's direction he sent emissaries to several of the principal nobility and gentry, to inform them that, if they would lay down their arms, and quietly return to their houses, their submission should be received, and they should be protected in their estates and fortunes[l].

1654. Monk marches against the insurgents.

[g] Whitlocke, Mar. 10, 11, 13. [h] Ibid, Apr. 13, 17, 21.
[i] Ibid, May 11. [k] Skinner, Life of Monk, Chapter VI.
[l] Ibid.

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1654. Middleton withdraws to the continent. His successes.

Monk in the mean while proceeded by rapid marches into the heart of the Highlands, cutting off the resources of the enemy as he went, and avoiding all occasions of a general engagement[m]. At length however by a fortunate occurrence Morgan came up, at the north end of Loughgerry, with a body of horse commanded by Middleton, which he utterly defeated, the commander being wounded[n]. This check, together with Monk's mode of proceeding, and the falling off of his followers, so completely discouraged Middleton, that he shortly after withdrew, and, quitting the insurgents, passed to the continent[o]. By the end of August, having succeeded in all the objects of his campaign, Monk returned to Edinburgh, the seat of his government[p].

Disaffection in the army of Scotland.

Such were the operations of the army of Monk against the royalists of Scotland. But, as has been already said, he had another business intrusted to him by Cromwel, the checking the spirit of discontent in his own forces, which was supposed to be propagated or encouraged by the officers who adhered to the creed, political and otherwise, of the anabaptists. The chief of these officers were Overton, Okey and Alured. Overton is particularly entitled to our attention, as

[m] Whitlocke, June 19, 24, July 18. Skinner, *ubi supra.*

[n] Whitlocke, July 29, 31, Aug. 1. 4.

[o] Ibid, Aug. 25. Skinner, *ubi supra.*

[p] Whitlocke, Aug. 28, Sept. 2. Skinner, *ubi supra.*

being united in terms of the most cordial friendship to Milton[q]. CHAP. V.

Character of Overton.

Their connection is described by that celebrated author as being of many years standing, and as founded on the similarity of their views, and the peculiarly bland and engaging manners of this officer. He had entered into the service of the parliament from the beginning of the war[r], and early obtained the appointment of deputy-governor of Hull under Fairfax[s], of which place he seems to have been a native. In all the various conflicts in which he had been engaged, he had acquitted himself with gallantry and honour; and in consequence had received from the Long Parliament, at the same time with Ingoldsby and Pride, two other distinguished officers, a grant of lands in Scotland to the value of five hundred pounds *per annum*, subject to a yearly rent to the public of one hundred[t].

1651. His exemplary justice.

He greatly distinguished himself in the campaign in Scotland subsequent to the battle of Worcester, and that no less by his equity than valour. Three English soldiers being murdered in the fields near Aberdeen, Overton sent for the gentlemen of the vicinity, and told them that, if they did not find out the murderers, he should be

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[q] *Concordia plusquam fraterna conjunctissimus.* Defensio Secunda.
[r] Thurloe, Vol. III, p. 111. [s] Rushworth, Vol. VII, p. 1021.
[t] Journals, May 14, 1652.

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1651. obliged to punish the country by a pecuniary fine, which threat produced the desired effect[u]. At the same time, having heard of some incivility that had been offered by the soldiers to Mr. Andrew Cant, an eminent Scottish divine, he waited on him personally to express his sorrow that he should have been in any way molested by the persons under his command[x].

1654. He is recalled out of Scotland. This man however, who ranked high in the esteem of the republican party, was regarded with an eye of suspicion by Cromwel. When Monk came down into Scotland, he sent him back to Hull, of which place he appears to have made him governor[y]. But, the jealousies of the protector not being yet appeased, Overton was immediately after summoned to London[y], where he was detained from May to September. At the end of that time Cromwel seems to have dismissed his apprehensions; and Overton was appointed second in command in Scotland, in the room of general Morgan[z].

Returns thither as second in command.

Generous behaviour of Milton. It is gratifying to remark the behaviour of Milton under these circumstances. So far from shewing any coolness or alteration of sentiment towards his friend, he seizes on the occasion to insert a warm panegyric on Overton in his *Defensio Secunda pro Populo Anglicano*, published in

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[u] Whitlocke, Dec. 13, 1651.
[x] Ibid, Dec. 15.
[y] Thurloe, Vol. II, p. 414.
[z] Whitlocke, Sept. 27.

May, shortly after the commencement of that officer's disgrace[a]. He adds his commendation to that of divers members of Cromwel's council, Whitlocke, Whalley and Overton being the only persons commemorated in the eulogium, who were not in the council[b]. He was in no degree tainted with the courtier-propensity of shrinking from the man who falls under the displeasure of the lord of the ascendant. Overton was the victim of suspicion: Milton does not on that account whisper to his own mind, I will separate my fortunes from those of my friend, lest I should become suspected too. CHAP. V. 1654.

The next individual, filling the station of a colonel in the army of Scotland, who was suspected of being disaffected to the government of Cromwel, was Alured. He was sent over from that country to Ireland to conduct certain forces out of Ulster to strengthen the army of Monk. Whether these additional troops were required to suppress the insurgents in the Highlands, or to balance the influence of the anabaptists in the commonwealth army there, is altogether doubtful. We have a list of eighteen regiments already quartered in that country[c]. Be this as it will, it appears that Alured held such language to certain members of the Irish forces, that the friends of Cromwel presently decided that he was either a Practices of Alured.

[a] Letter of Marvel to Milton, *apud* Birch, Life of Milton.

[b] See above, p. 25, note.

[c] Several Proceedings, Feb. 2.

BOOK IV. 1654.

very dangerous character, or that he had been intrusted by the government at Westminster with a latitude, politically to try the tempers of men[d]. In the mean time, the protector had received from other sources such information respecting Alured's proceedings, that he wrote to Fleetwood on the sixteenth of May, desiring that the colonel might instantly be sent off to London, and that some trusty officer might be appointed to conduct the forces from Carrickfergus to Port Patrick in his stead[e].

and others.

Among the regiments to which disaffection was imputed, was Harrison's, which was itself in Scotland, though he was detained in the south: Okey was likewise commanded home from Scotland: Pride's regiment was also one of those which was ordered into the north; but, when the men were already advanced on their march, the colonel was commanded to stay[f]. Such were some of the domestic difficulties that environed Cromwel in the commencement of the protectorate.

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[d] Thurloe, Vol. II, p. 294, 313. [e] Ibid, p. 285.
[f] Ibid, p. 414.

CHAPTER VI.

CONSPIRACY OF GERARD AND VOWEL.—PROJECTS OF ASSASSINATION ENCOURAGED BY CHARLES THE SECOND.—THE CONSPIRATORS ARE SEIZED AND BROUGHT TO TRIAL.—EXECUTION OF THE RINGLEADERS.

1654. Projects for assassinating Cromwel.

But, while Cromwel was thus employed in providing against dangers in Scotland and Ireland, a peril of a more urgent nature presented itself at the centre of his government. We have seen how prone the royalists were, exiled from their home, and stripped of fortune and station, to schemes of assassination. The death of the late king also, not by assassination indeed, but by an act they deemed a thousand times more flagitious, exasperated them to the utmost. Hitherto they had not known to what point to direct their animosity. The commonwealth was in that respect like the Lernean Hydra; if you struck off one head, you might expect others, more numerous and implacable, to rise in its place. But Cromwel, by assuming the chief magistracy, had removed this obstacle. It was like a king going into battle, attired in royal robes. All eyes were

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directed, all swords were brandished, against him. It realized the wish that is said to have been expressed by Caligula, that the Roman people had but one neck. A stroke effectually aimed at the life of Cromwel, would shake the present government of England to its foundation.

Proclamation setting a price on his head.

The plot that was now formed, was ushered-in in the most unblushing style, by a proclamation in all the forms, issued at Paris on the twenty-third of April (St. George's day), in the name of Charles the Second, by the grace of God king of England, Scotland, France and Ireland. This instrument ran, that, "Whereas a certain mechanic fellow, by name Oliver Cromwel, has most tyrannically and traiterously usurped the supreme power over these kingdoms," the rightful claimant hereby "gives free leave to any man whomsoever, by pistol, sword, poison, or any other means, to destroy the life of the said Cromwel, wherein he will do an act acceptable to God and good men." The proclamation further promises, "in the faith of a Christian king," to the perpetrator and his heirs a reward of five hundred pounds *per annum* for ever, and the honour of knighthood, and, "if he is a soldier, the office of a colonel, with such other honourable employment, as may render him capable of attaining to further preferment corresponding to his merit[a]."—We

[a] Thurloe, Vol. II, p. 248, 249.

have every reason to believe that this manifesto was drawn by Clarendon, whom we shall hereafter see busied in projects of a similar nature. Though bearing the form of a proclamation, it was of course given out with the utmost secrecy [b], and communicated to none but such persons as were thought fully to be relied on, for the purpose of encouraging them in the intended enterprise.

Colonel John Gerard the intended assassin.

The plot which was brought to light in the following month of May, was for assassinating Cromwel on the road, as he passed from Whitehall to Hampton Court. The most considerable person engaged in it was a young man, styled colonel John Gerard, only twenty-two years of age, first cousin to Charles Gerard, created a baron by Charles the First in 1645, and afterwards, in 1679, made earl of Macclesfield. It is singular, that it was this individual whom don Pantaleon Sa had designed to assassinate in the preceding November, and that don Pantaleon and Gerard were both of them beheaded on the same day in the following July [c].

Particulars of his project.

Gerard went over to Paris in the spring, and was introduced to prince Rupert and the exiled king. He was probably fixed on for this enterprise on account of his youth, and because he was, by his own confession, a most fervent and

[b] Ibid, p. 322.

[c] See above, p. 51.

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impassioned royalist. The project was to have been executed on the twentieth, and was only divulged on the morning of that day, by what means has never appeared. Gerard had engaged to provide twenty-five men for the enterprise, and a major Henshaw five[d]. Henshaw was never brought forward, and might therefore be conceived to be the betrayer; but he is mentioned at a subsequent period as an eminent royalist[e]. Cromwel only received notice of the design a few hours before it was to have been executed, and is said to have rendered it abortive by crossing the water at Putney, and thus avoiding the ambuscade[f]. Five of the conspirators were taken that night in their beds (Gerard being one)[f], and more a day or two after. Had not proper measures been adopted, they had resolved, if they missed the protector as he passed to Hampton Court on Saturday, the twentieth, to have renewed the attempt on Sunday at Whitehall Chapel[f]. Pickering, Strickland, and two or three more of the council were to be murdered[g]; Charles the Second was to be proclaimed in the city; and prince Rupert had engaged to bring over ten thousand Irish, English and French, to the coast

[d] Cobbet, State Trials, Vol. V, p. 518, *et seqq.*

[e] Echard, *anno* 1657.

[f] True Relation of the Plot.

[g] Cobbet, *ubi supra.*

of Sussex with the Duke of York in their company[h].

1654.

Cromwel appears to have seized this occasion for taking some eminent persons into custody, among whom were sir Gilbert Gerard, brother to the colonel, the earl of Oxford, sir Richard Willis and the two Ashburnhams, upon pretence of suspecting that they were concerned in the conspiracy[i]. The prisoners altogether exceeded forty in number[i]; but Cromwel with his wonted magnanimity, brought only three of them to trial, one of whom was spared.

Various persons apprehended.

An ordinance was framed in June for constituting a high court of justice for the trial of the conspirators, of which commissioner Lisle was the president. The other judges were Aske and Nicholas of the upper bench, Atkins of the exchequer, Steele recorder, seven aldermen, and twenty other persons[k]. The court sat on the thirtieth of June, and again on the sixth of July. Glyn, Prideaux, and Ellis, were counsel for the commonwealth[l].

High court of justice for trying them.

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[h] True Account of Conspiracy, p. 63, 64. Cobbet, *ubi supra.*

[i] Several Proceedings, June 8.

[k] Mercurius Politicus, June 22.

[l] Cobbet, *ubi supra.* Prideaux was Cromwel's attorney general, and Ellis solicitor general. Prideaux had been appointed solicitor general in the room of St. John in 1648 (see above Vol. II, p. 622), and in the following year attorney general (Journals, April 9), Robert Reynolds being shortly after promoted to the office of soli-

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1654. Their trial.

The persons tried were Gerard, Peter Vowel, a schoolmaster, and Somerset Fox. Fox pleaded guilty. Vowel demanded a trial in the ordinary forms, and a jury of his peers. He alleged the sixth article of the Government of the Commonwealth. The court answered that they were his peers, and that he might see that the individuals on the bench exceeded twelve in number. Glyn, who was now completely a courtier, affirmed that the ordinance, though made only by the protector and council, was undoubtedly in force, till the parliament should repeal it. He added that, in the old law of treason, king signified merely supreme governor, that it had been so construed in the case of a queen, and that it equally extended to a lord protector[m].

Execution of Gerard and Peter Vowel.

Gerard and Vowel were convicted on the evidence of more than ten of their fellow-conspirators. One of them was Charles Gerard, brother to the principal delinquent, only nineteen years of age[n]. It is singular that Gerard, when he came to the place of execution, though he boldly avowed his royalist principles, utterly denied his concern in the conspiracy. He said, he forgave his brother, who, being so young, was frightened into what he

citor general (Ibid, June 6, 1650). Prideaux had a fresh patent from the protector (Docquet Book of the Crown Office), Jan. 23, 1654, and William Ellis was made solicitor general (Ibid.), May 24.

[m] Cobbet, *ubi supra.* [n] Ibid.

did[o]. The victim no doubt was urged to this extraordinary conduct by the remainder of liberal and generous principles within him, which made him, though willing to fall a sacrifice to his loyalty, yet ashamed to die for a purpose of base assassination. CHAP. VI. 1654.

[o] Cobbet, *ubi supra.*

CHAPTER VII.

CONDITION OF THE GOVERNMENTS OF FRANCE AND SPAIN.—CHARACTER OF CARDINAL MAZARINE.—HE FAVOURS THE CONSPIRACY OF GERARD.—CHARACTER OF CHARLES THE SECOND, AS STATED BY THE ENGLISH GOVERNMENT.

BOOK IV.

1654. Conduct of Cromwel towards France and Spain.

WE have seen in how lofty a style Cromwel conducted himself towards foreign powers, Holland, and Denmark, and Portugal, and how beneficially he concluded a treaty with Sweden. We are now to consider what was the tenour of his policy towards the states of the first class, that came nearest in contact with our own, France and Spain.

Relative strength of these powers.

France and Spain were not then what they have appeared in more modern times. France was just emerging out of a long minority, in the beginning of the reign of Louis the Fourteenth; she had been vexed with the wars of the Fronde, and the bitter and vehement contentions of her principal nobility. The court had been once and again driven into exile from the metropolis. Though France was superior in dimensions to Spain, and her provinces greatly more

populous, she did not assume a formidable attitude, and was far from promising that haughty and overwhelming character in which she appeared in a more advanced period of the reign of her present sovereign. Spain on the contrary retained much of the reputation she had acquired under Charles the Fifth and Philip the Second. She possessed all the riches of the new world, and her resources were supposed to be inexhaustible. Nevertheless she had in her secretly the seeds of decay. She had lost a good part of the Netherlands; she had lost Portugal. The government of Philip the Third, and still more of Philip the Fourth, was essentially feeble.

Flourishing condition of the English navy.

Such as these two countries were however, Cromwel appeared to play with them as he pleased, and to be in no haste to come to a perfect understanding with either. He went on strengthening his navy, first, as if he did not intend to conclude the peace with Holland, and next, as if it had not been actually concluded. One of his principles of policy obviously was, to govern his discontented and impatient people, by the character he should assume, and the tone he should employ towards foreign powers. The state of England was not now, as it had been immediately after the death of Charles the First. Then all nations insulted us, and committed ravages on our commerce with impunity. Now they were taught, that a commonwealth, that had cast off

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the line of its kings, could assert its authority in a higher tone than ever. The strength of our navy, and the vulnerableness of the neighbouring powers at sea, particularly favoured the views of Cromwel. Both France and Spain assiduously courted the smiles of the protector.

Policy of the court of France.

The prime minister of France at this time was Mazarine, an Italian, with all the subtleties of his country, a man of eminent talents, but at least as much distinguished by the cautiousness and timidity of his disposition. It was shortly after the rencontre in which Blake captured a whole squadron of Frenchmen, and by that means produced the surrender of Dunkirk to the Spaniard[a], that Bordeaux arrived in London as envoy from the court of France, to enter into negociation with the government of this country[b]. But no sooner had Cromwel possessed himself of the supreme authority, than Mazarine resolved to court his favour with increased assiduity. He sent over De Baas, a confidential emissary, with the most ample professions of the readiness of the French government to banish the English royal family out of their dominions, and to enter into the strictest bonds of union with the newly established sovereign[c]. At the same time Bordeaux received a commission to assume the character of ambassador; and it was even suggested, that, if the

[a] See above, Vol. III, p. 398.

[b] Journals, Dec. 14, 17, 21, 22, 1652. [c] Thurloe, Vol. II, p. 113.

English government judged him a person of not sufficient importance to be received by them in that character, he should immediately be superseded by another person of higher station and rank[d].

Versatility of the prime minister.

Meanwhile the mind of Mazarine was in a state of great fluctuation and uncertainty. He did not love Cromwel; but he exceedingly feared him. It was obvious that, if Charles the Second could be restored, close as his connection was with the court of France, infirm as his government must necessarily be, and his character being already established for idleness and dissipation, such an event must tend greatly to promote the aggrandisement of Louis; while on the other hand the imperious and able administration of Cromwel penetrated the cardinal with amazement and terror. Thus circumstanced, he eagerly listened to the representations of the exiled court. They told him, that nothing could be more precarious and uncertain than the government of the protector, that he was almost without friends, that the anabaptists deserted him, the republicans hated him, and the army was divided respecting him; while on the other hand the bulk of the English nation, the old royalists, and the presbyterians, looked with earnest impatience for the restoration of the house of Stuart. Struck with these views, Mazarine appears to have listened to the project of assassination, which was then in

[d] Ibid, p. 199.

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active progress. He instructed De Baas, to confer with the conspirators, to enquire out the malcontents, and, if he found the schemes that were in contemplation feasible, to favour them to the extent of his power[e].

Energy and firmness of Cromwel.

But Mazarine did not understand the character of the present government of England. Their activity was incessant; their eyes were every where; not the smallest motion of an enemy was hid from their observation. And here we are presented with a further instance of the magnanimity of Cromwel. He sent for De Baas; he confronted him with one of the conspirators; and, having heard him fully in his own vindication, at last overwhelmed him with the language of his indignation, and so dismissed him[f]: De Baas's embassy was at an end. The conduct of Cromwel in thus civilly getting rid of a public minister, who under cover of that character had joined himself with conspirators to assassinate the first magistrate with whom he was sent to communicate, gained universal admiration[g].

Account published by him of the character of Charles the Second.

Meanwhile the protector did not fail to retaliate upon Charles for his sanguinary proclamation, and his concern in the plot which had just been defeated. In a True Account of the Late Bloody Conspiracy, published by special command, this prince is represented as one bedabbled in all

[e] Thurloe, Vol. II, p. 309, 336, 351, 352, 412.
[f] Ibid, p. 379.
[g] Ibid, p. 437, 455.

the blood that had been shed in England, Scotland and Ireland, and naturally a nullifidian in all points of civil honesty, as well as religion. His demeanour therefore, this writer adds, being well weighed, we need say little concerning his faith, as supposing not many will fall in love with him for that, which he seems not much to love; but, if we consider his education, and his alliances with, relations and dependencies upon foreign Papists, we may easily conclude what religion he is of, if any. So that, whether we call to mind the fate and wretchedness of his family, or his own personal qualifications, we conceive it hardly imaginable that any pious, honest and sober-minded man would contribute so much as a thought, much less embroil his country in blood, for the restoring so blood-guilty, perfidious and infamous a house and person.

We shall speedily have occasion to resume the proceedings of Cromwel towards his powerful neighbours. Meanwhile it was necessary thus far to sum up the condition of England towards foreign states, during the summer and autumn of the first year of his protectorship. Till now he had played the part of an absolute sovereign: but it was perhaps neither in his power, nor his wish, to continue to hold the reins of an arbitrary government.

CHAPTER VIII.

CONSPIRACY AGAINST THE UNIVERSITIES.—ACCOUNT OF IT BY OWEN AND OTHERS.—ITS LEADERS; DELL, ERBERY AND WEBSTER.—IT IS DEFEATED.—SUBSEQUENT PROSPERITY OF THE UNIVERSITIES.

BOOK IV.

Vigilance of Cromwel.

CROMWEL wielded not in vain the sceptre of the commonwealth of England. His eyes, so to speak, were in every place, beholding the evil and the good. He was not dismayed, either by the divisions and internal convulsions of his country, in which only a small portion of the people regarded his government, separately from their conviction of his extraordinary endowments, with sentiments of complacency, nor by the forever renewed attempts on the part of the royalists to overturn his authority, to convulse the realms over which he presided, and by means of secret conspiracies to put a sudden close to his existence. He encountered all these evils with unaltered resolution, and trusted to the energy of his character, that he would bring a universal tranquillity out of these elements of tempest and uproar.

CHAP. VIII.

One of the subjects that at this time particularly engaged his attention, was the state of learning, and the establishments for the education of youth and the religious instruction of the people, within his dominions. Though his authority was as yet but young and apparently unfixed, he did not on that account neglect the arts of peace: but on the contrary conducted himself in this matter, precisely as he might have done, if the crown of England had descended to him from a long line of ancestors, and he had had nothing to apprehend, either from the friends of freedom who hated him for his usurpation, the fanatics who regarded him as having set aside the reign of the saints, or the adherents of the exiled family who watched with unabated eagerness for the destruction of the usurper.

Favour he extends to learning and seats of education,

The history of the university of Oxford at this time has many claims on our attention. The presbyterian government had been fully established there in the year 1648[a]. But much time did not elapse after that revolution, when it became apparent from the ascendancy of the independents in parliament in the December of that year, that the conduct of this seminary was destined to undergo a further revolution. Nothing sudden and extreme however took place on the subject. A vote of parliament was passed in the

1648. State of the government of the university of Oxford.

[a] See above, Vol. III, p. 92, 93.

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June of the following year, recommending Owen and Goodwin to be made heads of houses in one or other of the universities[b]. The earl of Pembroke, chancellor of the university of Oxford, died in January 1650[c]; and it was not till twelve months after, that Cromwel was appointed in his place[d]. Goodwin had been made president of Magdalen college in the beginning of the year 1650[e]. Owen was not made dean of Christchurch till March 1652[f], and in the September following was appointed by Cromwel to the office of vice-chancellor[g]. Almost all promotions in the university, under the superintendence of the lord general, were of course given in the same direction.

1650. 1651. 1652.

1653. Alleged conspiracy against literature and seats of education.

It was in the year following that historians concur to represent a memorable revolution as being threatened, not only in this university, but in the entire state of the church and of learning in England. Having failed, after my utmost diligence, in discovering materials for a history of this affair, I can do nothing more than put together the scattered hints that may be collected from different quarters tending to establish its reality.

Cromwel's statement on the subject.

The first authority is Cromwel himself, who, in his most considerable speech to the committee of

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[b] See above Vol. III, p. 98.
[c] p. 179.
[d] p. 278.
[e] Journals, Jan. 8.
[f] Athenæ Oxonienses, Vol. II, p. 738.
[g] Ibid, Fasti, p. 98.

parliament appointed to remove his scruples respecting the taking on himself the title of king in April 1657, speaking of Barbone's parliament, expresses himself thus: "When sober men saw how things were going in that assembly, they came, and returned the power into my hands. Otherwise, the issue of that meeting would have been the subversion of your laws, and of all the liberties of this nation, the destruction of the ministers of the gospel: in a word, the confusion of all things; and, instead of order, to set up the judicial law of Moses, in abrogation of all our administrations[h]."

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To the same purpose colonel Sydenham, in his speech to Barbone's parliament immediately before their dissolution, affirmed, that "the majority of the members of that assembly aimed at no less, than destroying the clergy, the law, and the property of the subject. Their purpose was to take away the law of the land, and the birth-rights of Englishmen, for which they had been so long contending with their blood, and to substitute in its room a code, modelled on the law of Moses, and which was adapted only for the nation of the Jews. In the heat of their enthusiastical fervour, they had laid the axe to the root of the Christian ministry, alleging that it was Babylonish, and that it was Antichrist. They were

Sydenham's statement.

[h] Monarchy Asserted, p. 96. See above, Vol. III, p. 537.

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the enemies of all intellectual cultivation and all learning[i]."

1653. Testimony of Baxter.

Baxter, in his Narrative of his own Life[k], says, the aim of this parliament had been to overturn the established ministry.

Representation of Clarendon.

Clarendon, who eagerly seizes the opportunity of holding up every thing connected with the commonwealth-government to derision, is more full and explicit on the subject. He says, "The men thus brought together by Cromwel's single authority, continued to sit as a parliament for six months, to the amazement, and even mirth of the people. In which time they never entered into any grave and serious debate, that might tend to any settlement, but generally expressed great sharpness and animosity against the clergy, and against all learning, out of which they thought the clergy had grown, and still would grow.

"There were now no bishops for them to be angry with; they had already reduced all that order to the lowest distress. But their quarrel was against all who had called themselves ministers. They looked upon the function itself to be antichristian, and the persons to be burthensome to the people, and the requiring and payment of tithes to be absolute Judaism; and they thought fit that they should be abolished altogether. And, that there might not for time to come be any race

[i] See above, Vol. III, p. 583, 584.

[k] Part I, p. 70.

of people who might revive those pretences, they proposed, that all lands belonging to the universities, and colleges in those universities, might be sold, and the monies that should arise thereby, be disposed of for the public service, and to ease the people from the payment of taxes and contributions[l]." 1659.

Echard improves upon this representation. He says[m], "Having settled the ceremonial and circumstantial parts of the assembly, they proceeded vigorously towards a thorough reformation, imagining or discoursing of nothing less, than that Jesus Christ must shortly reign with them here on earth. To prepare the way therefore for his personal appearance, they considered of abolishing the ministerial functions. They were likewise for the suppression of the universities and all schools for learning, as heathenish and unnecessary." of Echard.

All these statements, taken separately, no doubt amount to very little, and have rather the air of a calumny got up for some political purpose. Cromwel had at this time entered into a concert with the lawyers, and the clergy, and the individuals who had the right of presentations to livings, to set aside this assembly. He aspired to a more palpable and permanent power than he at present possessed; and he thought that, by the Abatements to be made from these accounts.

[l] Clarendon, Vol. III, p. 484. [m] p. 705.

BOOK IV. 1658.

sacrifice of this parliament of his own creation, and by new alliances with great bodies of men animated with one common interest, he should have a peculiarly favourable opportunity of accomplishing his purpose[n]. We therefore easily perceive how powerful a motive he had to misrepresent this assembly. And the royalists were no less strongly excited than he, to throw derision upon every attempt to erect a republic in England. There is however something striking in the coincidence of these representations, in their number, and in the different and discordant quarters from which they are furnished.

Representation of Owen.

But there is another authority more considerable than any of these, and which we shall find it difficult entirely to supersede. This is no less than that of Owen, the vice-chancellor of Oxford, in his oration at the commencement, October 1657, upon occasion of his resigning his functions. His narrative is as follows.

"The fifth year is now concluded, from the period in which, though unworthy, this office was confided to me. What was then the condition of gownsmen and the university, there is no one that is ignorant. For two years we were of the vulgar, and a common talk to the vulgar. The critical situation in which we stood was a subject for the diaries of the astrologers, and the diurnals

[n] See above, Vol. III, p. 580, 581.

CHAP. VIII. 1659.

of the journalists. Nor was there a human being so inapprehensive, as not to fear, or to hope respecting our fate, as inclination led him. Such was the will of the Great Ruler of all things, that mortals might learn to set less value upon whatever is perishable; nor was it perhaps just, that, while famine and a blast pervaded the beauty of empires and the highest ornaments of the world, the academies of learning alone should flourish. Meanwhile our cause, which could be assailed only from the worst motives, there were few that dared gallantly to assert. Nay, to such a pitch of madness were we arrived, that to have stood up for the public schools, would have been reckoned an offence against religion and piety. Every thing that is held disgraceful among sober men, and that really is so, was profusely imputed to you. Those who regarded us with a more favourable eye, were so fully occupied with their own concerns, that, besieged with calumnies, and deaf to intercession, they could afford us words only, endeavour to shelter us by delay, and utter such lamentations over us as are usually pronounced for the dead. All our affairs therefore being in confusion, and, as it were, on the edge of the pit, we were delivered, not by miracle, but our Father in Heaven looked down upon us. When it was already too evident, how far the rage, the ignorance and audacity of some, from whom better things might have been expected, would carry

BOOK IV. 1653.

them, the supreme arbiter of all so scattered all their counsels and their concerts in a moment, that the conspirators hardly and with difficulty provided for their own safety, who, *three days before,* were in the act to devour us. Nothing in fine remained of the unprincipled attempt against seats of learning, which some wretched creatures had meditated, but the deepest disgrace, and the never-to-be-forgotten insanity from which it sprung. The miserable effort that was made however will probably be remembered and exclaimed against, as long as there shall be historians capable of recording the consultations and deeds of brave and wise men, at that season applied to the defeat of all that could dishonour a civilised state. Such was the complexion of the first period of the time in which I have sat in this chair[o]."

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[o] Orationes Quinque, annexed to the collection of Owen's Sermons, Fol. 1721, Oratio V. It is singular enough, that in this collection there is no oration for the commencement 1653. In that for 1654, the speaker begins:

"It is well, officers. Our establishment survives, not merely that it may make its will, and divide its bequests among its youthful members. Thus far, though, alas, we must only say we have escaped, yet we have escaped. We existed, when it was much to say we existed, bent down with the age of our times, and only not extinguished in the mortality of all things. Let other authorities shew their trophies, the spoils of their enemies, their own heads bound with garlands, the fruitful produce of profound peace and tranquil retirement; we have nothing to shew but our scars,

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1653.

It seems scarcely possible to imagine that a project, thus specifically described by the vice-chancellor as overturned on the third day from its commencement, should not refer to something more distinct and palpable than we are at present able to trace. In the absence of such documents, now, as it should seem, for ever lost, which should aid us in developing the particulars of this transaction, we can do nothing more than, by consulting the controversies of the times, endeavour to throw some accidental light on the question.

Inference from the whole.

There are three persons, whose names belong to the religious history of this period, who are

Leaders of the conspiracy.

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our standards torn and dragged in the dust, and our hands lifted up to heaven in thankfulness. Our battle has not been a mock encounter; we have made no gay procession for defining our bounds; we have fought for whatever was handed down to us from antiquity, the depository of the piety of ages past, the hope and the seed-plot of all that was dear to us. We have put to flight the wine-shops, the alesellers, the mimes, the farces, the buffoons, the public riots, and the various disgraceful scenes, that lately infested our streets. We can now once more shew ourselves in our former solemnities, and stand forth unrebuked. The lawgiver of the Jews formerly beheld with admiration the bush in mount Horeb, burning, yet not consumed. Our halls and public edifices were but now deserted and insulted: their supporters gone, their props removed, they seemed tottering to their fall; a melancholy spectacle to such as loved them, threatening to overwhelm all that was near, in their ruin. But the winds and the storms assailed them in vain. God preserved them through every danger, and has once more wonderfully restored them to our use."

BOOK IV. 1653.

particularly accused as enemies of the ecclesiastical function and of learning; William Dell, William Erbery, and John Webster. Dell became a chaplain in Fairfax's army in 1645, and for some years was constantly attendant on the general. But, what is still more extraordinary, considering the part ascribed to him in the present question, he was, early in 1649, appointed master of Caius' college in Cambridge, which office he continued to hold till the Restoration. He was also an anabaptist [p]. Erbery was likewise a man of considerable talents. He was made a chaplain in the earl of Essex's army, and speedily distinguished himself as an enemy to the doctrine of original sin, and an advocate for that of universal restoration, and that all men should finally be made partakers of eternal felicity in heaven. He died in the year 1654 [q]. Of Webster we know nothing but from his writings, except that he had been a scholar in the university of Cambridge [r]. From the title of one of them [s] it ap-

Dell.

Erbery.

Webster.

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[p] Crosby, History of Baptists, Vol. I, p. 323—333. Dell observes of himself, in a tract hereafter quoted, "If any say, I myself relate to the university, why therefore do I speak against it? I answer, Let none be offended that I am made willing to hazard and part with my worldly accommodations for Christ, but rather praise God, who hath enabled me to make a good confession, whatever worldly disadvantages I may incur thereby."

[q] Athenæ Oxonienses, Vol. II, p. 175, 176, 177.

[r] Ibid, p. 176.

[s] Saints Guide.

pears, that he had been "late a chaplain in the army."

1653. Accusations against the universities.

These men were declared enemies to the constitution of the English universities. Dell[t] quotes Wicliffe, Huss, Luther and Melancthon, as pronouncing of the universities of their times, that they were camps of Cain, and synagogues of Satan, stews of Antichrist, and houses of lies. He observes, that it may be objected to his application of their opinions, that the universities which they denounced were popish establishments. But to this he answers, that the universities of his own age and country had changed only a little of their outside appearance, but were in heart and substance the same. The same statutes still remained in force among them; they taught the same vain philosophy, and the same subtle school-divinity, abounding in empty words and eternal wrangling. The very garb of the members was unaltered, preserving still the same hoods and caps, scarlet robes, gloves, ring and kiss, that were in use among their popish ancestors. He inveighs particularly against the *prevaricator* in his own university, correspondent to the *terræ filius* in Oxford, who was allowed at their most

[t] Trial of Spirits; Appendix, Being a Confutation of Errors delivered to the University Congregation, by Sidrach Simpson, Master of Pembroke Hall, Cambridge, at the Commencement, 1653. Simpson died in 1654. Carter, History of the University of Cambridge, p. 75.

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solemn festivals to indulge in all kinds of ribaldry and profaneness.

1653. Objections to human learning.

But the objections of the present enemies of the universities went to a still further extent. Dell says, that he entertains no hostility to human learning merely on its own account. But he protests against it, as being any part of the necessary education of those who are destined by their profession to instruct others in the principles of the Christian faith. He will not allow it to figure as "another John the Baptist, to prepare the way for the teaching of Christ." He denies that it is of the smallest advantage to assist men in the knowledge of the scriptures. He would have human and divine knowledge kept totally separate, and is decidedly of opinion, that the grace of God, and a deep inward impression of the inestimable value of gospel truth, are all the qualifications necessary to render any one an accomplished instrument for the saving of souls.

to a public provision for the subsistence of the clergy.

Another point which was laboured by these reformers, was the entire removal of all settled and national provision for the maintenance of the clergy. This question is fully discussed in Milton's Considerations touching the Likeliest Means to Remove Hirelings out of the Church, published in 1659. The men, who thought as Milton and the reformers of 1653 thought, were of opinion that a settled stipend to the clergy, not rising out of the voluntary contributions of

their hearers, tended to deprave the character of a gospel-minister, and to render those who exercised it, tools to the state and to the great landed-proprietors, instead of instructors devoted to the conscientious exercise of their profession, and fully sympathizing, and going hand in hand, with the people who sat under their ministrations. They held that every congregation of individuals professing the Christian faith was entirely competent to its own government, and ought not to be interfered with by any authority out of itself. Baxter says, it was put to the vote in Barbone's parliament, whether all parish-ministers should not at once be put down through the nation, that the best of them might be set up again in another way, and that it was carried in the negative by two voices only [u].

Writings of Webster.

Webster published two pieces in 1653, entitled the Saints Guide, and Academiarum Examen, inforcing the same principles as Dell, not without some shrewdness and ability. The first is dated the twenty-eighth of April, and the second the twenty-first of October. An answer to the latter was published under the name of Vindiciæ Academiarum, which was the joint production of Dr. John Wilkins, afterwards bishop of Chester, and Seth Ward, afterwards bishop of Salisbury [x].—Webster and Erbery held a public dis-

Answered by Wilkins and Ward.

[u] Life, Part I, p. 70. [x] Athenæ Oxonienses, Vol. II, p. 828.

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putation in the October of this year at a church in Lombard Street, against the establishment of the universities, and the maintenance of a national clergy [y].

Barbone's parliament accused.

It appears to be a matter of considerable doubt, how far the principles of which these men were the advocates, obtained in the assembly commonly called Barbone's parliament. Clarendon says, that in the whole period of their sitting, they never entered into any grave and serious debate that might tend to a settlement, but generally expressed themselves with great sharpness and animosity, against the clergy, and against all learning [z]. He affirms [a], that they were "generally a pack of weak, senseless fellows, fit only to bring the name of a parliament into utter contempt, and that much the major part of them consisted of inferior persons of no quality or name, artificers of the meanest trades, known only by their gifts in praying and preaching." He adds [b], "They had a quarrel against all who called themselves ministers, and thought fit that the function should be abolished altogether. And that there might not for time to come be any race of people who might revive those pretences, they proposed, that

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[y] Athenæ Oxonienses, Vol. II, p. 176. Erbery printed a scurrilous account of this dispute in a separate publication.

[z] See above, p. 90.

[a] Vol. III, p. 482.

[b] Ibid, p. 484.

all lands belonging to the universities, and colleges in those universities, might be sold, and the monies that should arise thereby, be disposed of for the public service, and to ease the people from the payment of taxes and contributions."

CHAP. VIII. 1653.

The whole of this statement however seems to be one tissue of misrepresentations. As to the persons of whom the assembly was constituted, this is best answered by consulting the list of its members [c]. The Journals exhibit the best and most satisfactory evidence respecting the subjects of their deliberations. There is no trace in them of any proposal for selling the lands belonging to the universities, or of any motion for putting down the national clergy. And they appear to have been occupied in the most important deliberations, and guided by the most enlightened views [d].

Vindicated.

Baxter says, it was put to the vote, whether all parish-ministers should not be put down through the nation; that the best of them might be set up again in another way, and that this proposal was carried in the negative by two voices only. But of this also there is no trace in the Journals. And it is somewhat remarkable, that the last proceeding of the assembly, the question whether they should agree with their committee in a recommendation for the preserving of tithes, was carried in

[c] See above, Vol. III, p. 524.

[d] Ibid, p. 570, *et seqq.*

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the negative by a majority of two[e]. It may be questioned whether Baxter did not confound this decision with the question for abolishing the parochial clergy.

Prosperity of the university.

The result of the different convulsions in the university of Oxford is stated with some fairness by Clarendon himself. He says[f], "It might reasonably be concluded, that this wild and barbarous depopulation would even extirpate all that learning and religion, which had so eminently flourished there, and that the succeeding ill-husbandry and unskilful cultivation would have made it fruitful only in ignorance, profanation, atheism, and rebellion. But, by God's wonderful blessing, the goodness and richness of the soil could not be made barren by all that stupidity and negligence. So that, after several tyrannical governments mutually succeeding each other, and with the same malice and perverseness endeavouring to extinguish all good literature and allegiance, it yielded a harvest of extraordinary good and sound knowledge in all parts of learning; insomuch as, when it pleased God to bring king Charles the Second back to his throne, he found it abounding in excellent learning."

Proficiency of its students.

Wood indeed tells the story with some variation, and with more honesty. Speaking of Henry Stubbe, a scholar who had been introduced into

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[e] See above, Vol. III, p. 576.

[f] Vol. III, p. 74.

CHAP. VIII.

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the university by the discernment and liberality of Vane[g], he says[h], "While he continued under-graduate, it was usual with him to discourse in the public schools very fluently in the Greek tongue, as it was at the same with one John Pettie of Baliol, afterwards of Queen's College, and others, whose names are forgotten. But, since the king's Restoration, we have had no such matters, which shews in some part that education and discipline were more severe then than after, when scholars were given more to liberty and frivolous studies."

1654. Merits of Cromwel in the affair.

The salutary changes which took place at this time in the university, are certainly greatly ascribable to Cromwel. Owen says[i], "Our chancellor was he, who appeared foremost in our defence. Again and again he protested, that he had only accepted that appointment, that he might discharge the duties annexed to it to their fullest extent. He, who had subdued the most barbarous enemies of our commonwealth, the wildest inhabitants of uncivilized Ireland, and the fierce clans of the Scottish Highlands, was best qualified to put to flight the lawless assailants of our honours and privileges. Providence had always appeared to cover him from every danger with its shield; from every peril of war he had come forth

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[g] See above, Vol. III, p. 31, note.

[h] Athenæ Oxonienses, Vol. II, p. 561.

[i] Oratio Secunda.

BOOK IV. 1654.

unhurt and victorious; and now at length, it is to him principally, under God, that we stand indebted for the returning peace and prosperity of these seats of learning."

Reflections.

It must be admitted, that the language of Dell, Erbery and Webster, greatly resembles that of Christ and his apostles. Nor is it less true, that there is much chaff and lumber mingled with the learning of our universities. It may be doubted however, whether the humiliation and self-abasement of a primitive Christian, be a better thing than the lofty and soaring and independent spirit of a genuine republican, inspired with a sober confidence in his own resources, and little disposed to think of himself more humbly than the truth would bear him out. Such a man owns no one for his superior that is not above him in virtues or talents; and, even in presence of such a one, does not forget what is due to his own claims, as a thinking being endowed with the attributes of morality and conscience. Such a man is self-centered; and, if he looks on another with reverence and honour, has also his demands for reverence and honour in return.

At all events persons of sound judgment would be likely to regret the attempt, if attended with any degree of success, to abolish the languages and the learning of antiquity, and to induce men to cast into the gulph of oblivion, all the taste and art and invention, all the monuments of free

thought and sublime and glorious goings-forth of the soul, which the republics of Rome and Greece have bequeathed us. Such persons would not consent even to the risk of the injury that might have resulted from the annihilation of the universities, such as they were in the middle of the seventeenth century.

CHAPTER IX.

PREPARATIONS FOR A NEW PARLIAMENT.—ELASTIC AND CONFIDING SPIRIT OF CROMWEL.—COMPLEXION OF THE ASSEMBLY.—POLICY OF THE REPUBLICANS.—DEBATES.—RECOGNITION OF GOVERNMENT.

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1654. Preparations for a new parliament.

An affair of the highest importance which demanded the attention of Cromwel, was the assembling a new parliament. The instrument of the Government of the Commonwealth required, that the parliament should meet on the third of September, and that the writ of summons for electing the members should issue on or before the first of June. The meeting of a new parliament might naturally be looked to as a memorable epoch. The last general election had taken place in 1640. And the continued existence of the parliament then elected, had long been regarded as the great security for public liberty and the honourable fortunes of England. Cromwel had at length put a violent end to that illustrious assembly. The Little Parliament, so called, that had sat, nominated by the principal officers of the army, not elected, in 1653, had been scarcely more than the mockery of the name of a parliament.

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1654.

New circumstances had arisen, new principles of political government been developed, a new constitution promulgated, a new sovereign (such we must style him), taken as it were from the ranks of the people of England, placed on the throne. It was well known that the nation was split into many parties, exasperated against each other by the long struggle in which they had been engaged. One party was triumphant, that of the army, or rather of a section of the army; the rest had been defeated, some earlier, some later. To make use of a trite, but extremely apposite illustration, the tempest had apparently been stilled, but the waves were in that tumultuous, unquiet situation, that seemed, not obscurely, to prognosticate a storm to come.

Circumstances of the people of England.

Cromwel had courage enough, with a serene temper to meet this fortune. Conscious of his good intentions and his virtues, he dared to encounter the representatives of the people. It has been observed that, except in relation to confirmed and unquestionable royalists, men who had borne arms under the royal standard and their sons, these elections were conducted with singular freedom[a].

Actual freedom of election.

It may be instructive to pause here for a moment, and observe the view that this circumstance opens to us into the character of Cromwel. He had had an opportunity, if ever human being had,

Situation in which Cromwel was placed.

[a] Hume, *ad annum.*

BOOK IV. 1654.

of practically forming a judgment of the nature of man. He had encountered all the storms of civil contention; he had been exposed to the utmost virulence of successive parties; there was no sort of contumely that had not been heaped upon him. He was execrated by the royalists, for he had brought their sovereign to the scaffold with all the mockeries (so they termed them) of justice; he was detested by the presbyterians, for he stood up for liberty of conscience, and opened a door to all the varieties of heresies and sects; he was abhorred by the republicans, for he had put a close upon their favourite form of government, and restored the exploded dogma of an executive authority to be vested in a single person. Plots and conspiracies, pistols and daggers, had been prepared to destroy him. In the midst of these things he stood, as a man of true magnanimity always does, uncorrupted, unsoured, free from the smallest intermixture of spleen and misanthropy. He knew mankind; and, in the result of his knowledge, he felt impelled to trust and confide in them.

Generosity of his sentiments.

Cromwel conceived that he had sufficiently prepared the way for this grand epoch of his government. He had made treaties with Holland, Denmark, Sweden and Portugal. France and Spain, with the assiduity and jealousy of rivals, were courting his alliance. He had just quelled a dangerous conspiracy. He had to a considerable degree removed the anabaptists from the army.

Advantages he had obtained.

He had furnished the courts of justice with excellent judges; his internal administration was every where prosperous. Clarendon says[b], "The protector had nothing now to do, but at home: Holland had accepted peace on his own terms; Portugal had bought it at a full price, and upon a humble submission; Denmark was contented with such an alliance as he was pleased to make with them; and France and Spain contended by their ambassadors which should render themselves most acceptable to him. Scotland lay under a heavy yoke by the strict government of Monk, who, after the peace with the Dutch, was sent back to govern that province. And Ireland was confessedly subdued, so that commissions were sent to divide the lands which had belonged to the rebels or to the king's adherents, and one province only was reserved for the Irish to resort to." And Ludlow[c] adds to this picture, that Cromwel was now master of "a considerable army by land, and a powerful fleet at sea; all the soldiers fully paid, with a month's advance; the stores sufficiently supplied with all provisions both for sea and land; three hundred thousand pounds of ready money in England, and one hundred and fifty thousand pounds in the treasury of Ireland."

The assembling a new parliament unavoidable.

It must be remembered however, that in calling this parliament Cromwel had no choice. The Go-

[b] Vol. III, p. 494.

[c] p. 488.

BOOK IV. 1654.

vernment of the Commonwealth, to which he had sworn, and by which he was made lord protector, the only constitutive law at this time known in England, absolutely prescribed the period at which the parliament should be held, and that at which the writs should be issued for the general election. If the protector neglected to issue his warrant for that purpose, the keepers of the seal were required to proceed without him; and, if the keepers of the seal were guilty of similar neglect, the sheriffs were to enter on their duties without further direction; each on the penalty of high treason respectively[d]. If Cromwel, from a sanguine temper, and too great confidence in his knowledge of human character, had exposed the welfare of his country to wanton and unnecessary risk, he would undoubtedly have been greatly liable to blame. But, as it was, all that remained for him was to make a virtue of necessity, and to meet the crisis with a serene mind and a confident temper. And this his unparalleled courage particularly qualified him to do.

Reformed system of the representation.

The new parliament also, by the bill which had been so long depending in that assembly which Cromwel had forcibly dispersed, and the provisions of which were copied into the Government of the Commonwealth, was to be chosen in a manner particularly adapted to collect the sense of

[d] See above, Vol. III, p. 595, 596.

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the most respectable and influential part of the people. The small boroughs, the places most exposed to influence and corruption, were disfranchised. Of the four hundred members of which the parliament was to consist, two hundred and fifty-one were to be chosen by the counties, and the rest by London and the more considerable corporations. The meanest of the people too were excluded from the elective franchise; a property of two hundred pounds being required to qualify any one to vote. The most considerable limitation on this freedom was, that, the plan for electing the sixty members who were to represent Scotland and Ireland not being thoroughly fixed, they were in a particular degree subject to the influence of the court. In addition to this, all persons who had in any way aided and assisted in the civil war against the parliament, and their sons, were disqualified to vote [e].

Character of the assembly.

The parliament therefore which was chosen to meet on the third of September, was uncommonly respectable. The nobility were for the most part excluded. The earl of Salisbury however, the earl of Stamford, and a few others were chosen. The presbyterians appear to have exercised an extensive influence. They were a party in possession of a large portion of the wealth of the

[e] See above, Vol. III, p. 596, 598. The number of county members is there stated wrong.

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community; and theirs to a great degree were the authority and emoluments of the established church. They were however not an enterprising people. There was nothing they could do in the present assembly, that could directly tend to the restoration of the royal family; and therefore they were for the most part contented to contribute as much as they could, to the maintaining the present hierarchy, and the keeping down and discountenancing all other sects and opinions but their own. The most active and mercurial members of the parliament in opposition to the court were the independents and republicans.

Names of the most distinguished members.

Viscount Lisle was not in this parliament; nor Henry Marten, nor sir Henry Vane, nor Algernon Sidney. It contains most of the other great republican names. Ludlow was in Ireland. The whole of Cromwel's council, and principal officers, and houshold, except lord Lisle, were included, together with Fairfax and Blake. Richard and Henry Cromwel were members. Of the judges, Hale and Thorpe, but no others. Owen, vice-chancellor of Oxford, though a clergyman, was chosen. Glyn was also a member.

It is opened by Cromwel.

Cromwel went in great state from Whitehall to the Painted Chamber, to open the parliament. Before him passed hundreds of gentlemen, with their hats off, and his life-guard, horse and foot, and many officers and persons of eminent quality. About his coach went his pages and lacquies. In

the coach, opposite to the protector rode general Lambert, and the president of the council in the right boot. Then followed a coach with the keepers of the seal, and another with the commissioners of the treasury[f]. CHAP. IX. 1654.

In the speech Cromwel addressed to the parliament, he told them they were met on the greatest occasion England ever saw. He dwelt on the evils with which the country had lately been menaced, the dangerous principles of the levellers, striking at the root of all property, and the wild spirit of various sects and of the fifth-monarchy men, which aimed at extirpating the very existence of the clerical order, affirming that it was Babylonish and antichristian. Projects were formed for the subversion of all those laws which had been produced by the revolutions of property, and the manners of our ancestors, and for substituting in their stead the law of Moses. He imputed much of the confusion that had arisen to the secret practices of the Jesuits. To add to our miseries we had been at war with all our neighbours. At length, when things were at the worst, and a remedy was indispensible, a remedy was found; the Government which was instituted in the preceding December. That government had effected a happy peace with all Protestant states, Holland, Sweden and Denmark, had relieved us Speech of the protector.

[f] Several Proceedings, Sept. 7.

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from an accumulation of ruinous expences, and opened many salutary channels for our trade. We had also peace with Portugal, and were negociating a treaty with France. Nor had the government been inattentive to our internal advantages. They had made considerable progress in a plan for the reformation of the law, which would in due time be laid before parliament. They had placed the administration of justice in the hands of men of known integrity and ability. They had reformed the court of chancery. They had taken proper measures for establishing the clerical functions in men of piety, soberness, morality and learning. Lastly, and which was not the least of their claims to public gratitude, they had been instrumental in bringing together a free parliament. He intreated the persons now assembled to put the top-stone to the work which had been so auspiciously begun, and make the nation happy. He said that their task was that of composing all misunderstandings and jealousies, and he professed to them, that, if this meeting did not prove healing, he was at a loss to decide what was next most advisable to be done.

This speech, we are told, was followed by tokens of satisfaction, and hums of approbation, from various parts of the assembly[g].

The returns examined by the privy council.

It was computed that the hearers amounted to

[g] Several Proceedings, Sept. 7.

three hundred; and each member, as he entered the house, was called on for a ticket, declaring that he was duly elected, and approved by the council[h]. This ticket was refused to lord Grey of Groby, Wildman, and Mr. Samuel Hyland, one of the members for the borough of Southwark[i].

Lenthal chosen speaker.

The members had no sooner returned to their own house, than they chose Lenthal, speaker of the Long Parliament, for the speaker of the present assembly[k]. Bradshaw and others had been proposed[l]; but all at length agreed upon Lenthal, in consideration of the moderation of his character, which rendered him to a considerable degree acceptable to all parties.

Strength of the opposition in parliament.

It presently appeared that the parliament was so constituted, and parties so closely balanced in point of numbers, as to make it doubtful, if they had remained altogether uncontroled in their deliberations, what sentiments would ultimately re-

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[h] Several Proceedings, Sept. 7.

[i] Ludlow, p. 499. This is probably a mistake. It appears from the Perfect Diurnal, Sept. 11, that "justice Hyland" was "at length admitted." The objection therefore was not to the persons, but to some particulars in the return. Each member, as he entered, was required to deliver a ticket, "signed by the clerk of the commonwealth [clerk of the crown], signifying, that he was chosen according to the writ, and approved by the council." The council therefore plainly exercised no discretion respecting the character of the individual, but simply examined the correctness of the return.

[k] Journals, Sept. 4.

[l] Thurloe, Vol. II, p. 588.

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ceive their sanction. It was clear, however, that the protector had not a majority in the assembly.

1654. First article of the Government debated.

The first question of a critical nature that was moved, was, that the subject-matter for preliminary debate should be, Whether the house shall approve of the system of government by a single person and a parliament; and it was resolved, that they should form themselves into a committee of the whole house to deliberate upon this question[m].

Made the subject of vehement contention.

For four successive days, the seventh, the eighth, the ninth, and Monday, the eleventh, the parliament was eagerly occupied upon this question. The debates were in the highest degree animated, and the house sat late each day. Bradshaw, Haselrig and Scot particularly distinguished themselves; and, as Ludlow says, were very instrumental in opening the eyes of many young members, who had never before heard the public interest so clearly stated and asserted; so that the commonwealth-party increased every day, and that of the sword lost ground proportionally[n]. One noble gentleman, we are told, made a speech, in which he said, that the snares which were laid to entrap the liberties of the people were such, as it was impossible to mistake; but that, for his own part, as God had made him instrumental in cutting down tyranny in one person, so he could

[m] Journals, Sept. 6,

[n] Ludlow, p. 500.

not endure to see the nation's rights ready to be shackled by another, whose claim to the government could be measured no otherwise than by the length of his sword, which was that alone that had emboldened him to command his commanders [o].

Cautious proceeding of the leaders in opposition.

The debates were vehement and long; the party of the army insisting that the Government of the Commonwealth was to be admitted entire, such as it had been established in the preceding December; and the other party asserting the paramount authority of the parliament, and that nothing was to be admitted as of validity, that had not the sanction of the national representatives. This party had a decided majority in the assembly: but they had a delicate part to play. Cromwel was in possession; and the army, the force that was at present in full strength, was ready to abet his purposes. Of consequence, the republicans must proceed warily. They did not venture openly to question the ascendancy he had assumed; but they objected to the language of the instrument, and said that, instead of affirming that "the supreme legislative authority shall be in one person, and the people assembled in parliament," it ought to be, "in the parliament of the people of England, and a single person qualified with such instructions as that assembly should authorise."

[o] Perfect Politician, p. 207, 208. Clarendon, Vol. III, p. 497.

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1654. Arguments of the court-party.

The opposite party argued, that, with whatever fair speeches the protector had opened the parliament, it could not be expected that he would divest himself of his authority, and that it would therefore be their wisdom cheerfully to yield, what it was not in their power to withhold. They added, that the coordinate power of legislation given him by the instrument, was merely a negative *pro tempore*, extending to a term of twenty days only, and that a milder prerogative than this it was impossible to devise. They dwelt with emphatical commendation upon the article which limited the sitting of parliament to a period of five months, and indulged in terms of bitter reproach against that feature of the government of the remains of the Long Parliament, in which they had shewn themselves disposed to prolong their authority without limitation. Such a usurpation must be carefully provided against in future.

Middle course suggested by Hale.

On the fourth day, Hale, the new judge, brought forward an expedient by which he hoped to reconcile all parties. He proposed, that the legislative authority should be affirmed to be in the parliament of the people of England, and a single person qualified with such instructions as that assembly should authorise, in the manner suggested by the republicans. But, to render this palatable to the executive magistrate, and practicable under the circumstances, he recommended that the military power for the present should

be unequivocally given to the protector; and that to avoid the perpetuity of parliament, and other exorbitances in their claims of supremacy, that officer should be allowed such a coordination as might serve for a check in these points. The republicans seemed inclined to close with the suggestion of Hale [p].

Policy of Bradshaw, Haselrig and Scot.

On this occasion no doubt Bradshaw and Haselrig and Scot came down from their high ground of abstract republicanism. They pretended to endure the man who had committed the most grievous offence against their principles, who with open violence had dispersed the remains of the Long Parliament, the only authority invested with legal forms at that time existing in the nation, and removed the corner-stone of the commonwealth-system, the abjuration of a government in a single person. They decided, that a brief compliance with what was established was the better policy, and that, by such temporising only, could they hope to bring things back to the position, the superseding of which they most deeply regretted. They satisfied themselves that it was necessary, for the purpose of benefiting their country, that they should appear in some degree to compromise the

[p] Journal of Guibon Goddard, prefixed to Burton's Diary, p. 25 to 32. This writer, in the most tantalizing way, undertakes to exhibit the arguments on each side, without for the most part naming the speakers.

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severity of their theories. And they preferred this to express retirement, and the protesting in dignified seclusion against the indefensible proceedings of their quondam associate.

Advantage and disadvantage of parliamentary secession considered.

In fact, the eligibleness and the value of the protest and secession of a certain number of men in public life, from those with whom they had recently acted, depends upon the way in which that secession shall be viewed by a given portion of their contemporaries. To be of substantial validity, it must command the sympathy and responsive feelings of others. In political proceedings men are compelled to consider what is the temper and what the practicabilities of the community of which they are members. It can seldom be right to despair of the public; and, if we cannot immediately do all the good we would, we should be contented to do what we can. If by secession we can produce an impressive effect, then it may be right to secede. But, if our secession is not intended for the benefit of the men among whom we live, but rather as an appeal to future ages and a distant posterity, the advantage will be of a very equivocal nature.

Unpopularity of the republicans.

The commonwealthsmen were compelled to see, that their system of conduct had not been suited to the meridian of their countrymen. The dispersion of the remains of the Long Parliament had excited but feeble disapprobation, and been attended with few regrets. However merito-

rious much of their conduct may appear, when examined at the bar of time, it met for the present with a very limited approbation. There was scarcely any party in the state, or any number of their contemporaries, that approved of a government by a perpetual parliament. If it were pronounced unsafe to appeal to the people through the medium of a general election, most men were inclined to prefer a government by a council of state, with a parliament to come together at stated times, and with considerable interyals. The mode which had been actually practised till Cromwel broke up the government in April 1653, was open to the charge of being adopted with views of personal ambition. It was said, that the men actually in power could not find it in their hearts to part with it, that they were governed by too exclusive a spirit, and that they made use of the privileges they possessed, to enrich themselves and their connections: and the more they felt themselves superior to the imputation, the less care they took to parry the charge, and to humour the idle suspicions and the groundless censures of those whose affairs they were administering.

They alter their plan of proceeding.

In the present instance therefore Bradshaw and his friends appear to have come forward magnanimously to own their error, and, if they could not save their country in the way they had desired, at least to preserve as much from the wreck of the

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cause, as it should be found practicable to preserve. They were contented to serve their country, in the way in which, as it seemed, it only could be served. It was their plan, to concur to a certain degree with the government now set up, to sanction the character of chief magistrate as vested in the person of Cromwel, but resolutely to withhold from him those prerogatives and that authority, which might give him an ascendancy that would defy their control. It was a hazardous experiment; the sagacity of the protector was such as could not easily be baffled; his resolution was proof against all dangers; and he had the army of England at his beck. But the experiment they judged to be worth the trial. And, if it failed, and at the same time, as Ludlow says, the very making it was "instrumental in opening the eyes of the younger senators, who had never before heard the commonwealth-cause so clearly stated and asserted," they believed they should have no reason to repent what they had done.

Disinterestedness that stamps their conduct.

Whatever judgment it is reasonable to pronounce on the conduct of Bradshaw and his confederates in this instance, it must at least be admitted that it is totally free from the accusation of time-serving. Cromwel was now lord of the ascendant. Through difficulties innumerable, and, as it might have been thought, insuperable, he had made his way to the possession of supreme power. He had every qualification that might enable him

to administer it with success. His ambition was known to be unbounded; he aspired to build up a new race of kings in himself and his progeny; and nothing at the time was more probable than that he would succeed in the undertaking. In this situation did Bradshaw and his friends court the rising sun? Did they endeavour to conciliate the favour of Cromwel, or disarm his resentment? Quite the contrary. They chose a mode of conduct, that he must have felt a thousand times more offensive, than a sullen and inactive protestation. It was their purpose to outwit him, and, while they professed to enter into the new plan of the Government of the Commonwealth, to destroy it, and take away its force in detail. They even ventured upon incurring the censure of many honest persons who embraced the same political creed as themselves, that they might with better security accomplish the object that both the one and the other had at heart.—Be it added: it is this that gives an intense reality to the tale. Writers of fiction would have described these men as adhering inflexibly to their abstract principles: the conduct they held on the occasion at once sets them before us as actual human beings.

Decision of Cromwel.

On the other hand Cromwel was resolute against any departure from the government that had been established in the preceding December. He appealed on this point to the writ of election,

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issuing from his authority, under which they had been chosen, and the indenture between the sheriffs and the electors, by which it was specially provided, that the persons chosen should not have the power to alter the Government as already settled in a single person and a parliament. He saw that a majority of the members were in reality disaffected to his administration. And he held that it became him to come forward in the commencement, and not to stand by inactive, while step by step they should proceed to undermine his whole administration.

Danger of the situation in which he was placed.

In reality it demanded the whole judgment and vigilance of the protector, to maintain the system which had so recently been organised. He had stepped forward, as he some years after observed to a committee of parliament, even in the character of a good constable, to maintain the general peace[q]. The country swarmed with royalists, and presbyterians, and malcontents of a thousand descriptions; and he deemed that nothing but a strong hand, an individual of the most energetic character to grasp the reins of the state, would be sufficient to prevent general confusion and anarchy. It may be, this was not true, in the moment when, in so daring and unprecedented a manner, he had dispersed the remains of the Long Parliament. But Cromwel at that instant had

[q] Monarchy Asserted, p. 37.

passed the Rubicon. What he had then done, could perhaps never be recalled. It may be doubted, whether, if he had consented to the experiment, the illustrious band, which had directed the affairs of England for more than four years from the death of the king, could ever be replaced in entire and substantial authority, and whether the measures they had projected, could again be put in train and operation. It is easier to destroy, than to restore. Even Bradshaw and Haselrig and Scot must have doubted of the auspiciousness of the result of deposing the protector from the eminence he had by so unhallowed means raised himself to; however they might hold it their duty to engage in the experiment. At all events Cromwel, who had persuaded himself that it was necessary to put an end to that assembly, would never be persuaded to revive it. He had convinced himself that his ascendancy and authority were necessary to the general welfare; and all therefore that he had to consider was, how to preserve them from the attack of those who regarded them with hostility and censure.

He comes down to the parliament.

Cromwel saw that he had not a moment to lose. Early in the morning of Tuesday he sent for the lord mayor, and commanded the speaker of the parliament to attend him at Whitehall, with the mace. He ordered the doors of the house in which the parliament had previously assembled to be locked, and filled the avenues in Palace Yard and Scotland Yard with four companies

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of foot by eight o'clock. The members in succession repaired to the place of their sitting, but found themselves excluded, and were told that the protector would speedily arrive at the Painted Chamber, where he purposed to receive them[r].

His speech.

Here Cromwel addressed them in a temperate and well composed speech, characterised with great logic and sobriety. In this speech there is no appearance of mysticism and cant. He entered into a copious deduction of how he had been called to the government, and by what authorities he had been sanctioned in the exercise of it to the present day. He expatiated upon the inconsistency of which his hearers had been guilty, in coming there by virtue of his writs of election, and then disowning the authority by which they sat. He told them, that the Government of the Commonwealth promulgated on the sixteenth of December was the foundation of all that could now be done, and all that they could do. He averred to them that they were a free parliament, free to deliberate for the general welfare, but added

[r] Faithful Scout, Sept. 15. Weekly Post, Sept. 19. Among the newspapers of the time, these two were what may be called the opposition papers. They were published on Tuesdays and Fridays, and were plainly conducted by the same hand. From them chiefly is to be gleaned what we can know of the proceedings in parliament, more than is recorded in the Journals. The Journal of Guibon Goddard, which was published in 1828, supplies further information.

that there were some things fundamental, from which they were not at liberty to depart. These were four, the government by a single person and a parliament, that parliaments should not make themselves perpetual, liberty of conscience, and the power of the sword and of the militia being in the single person and the parliament. He said, he had thought this so plain, that he had not conceived it necessary that he should require of them the owning of their call and the authority which had brought them together, previously to their entering the place of their deliberations. But they had obliged him to come to another conclusion; and he had accordingly put a stop to their entrance into the parliament-house, and caused a recognition of the government to be prepared, which it would be necessary for every member to sign in the lobby, before he would be allowed to advance farther.

Recognition of government.

The recognition was a simple engagement to be true and faithful to the lord protector and commonwealth of England, Scotland and Ireland, and not to propose or consent to an alteration of the government, as it was settled in one person and a parliament. Bradshaw, Haselrig, and the more determined republicans declined this engagement[s]. They regarded it, and justly, as a most flagrant violation of the freedom of parliament, that the executive magistrate should prescribe a test, with-

[s] Faithful Scout, Sept. 15.

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out submitting to which the persons who were chosen by the people of England to represent them, should not be permitted to enter on the exercise of their trust. Parliament was the highest authority existing in the nation; and they would have regarded themselves as betraying the most sacred confidence, if they had yielded to such an imposition. It also presented itself in the most offensive form. It exhibited the executive magistrate as, contrary to all order and privlege, taking notice of their debates, and, because they did not exactly assume the form which he approved, interrupting their proceedings. The mode in which it was done likewise aggravated the affront. The avenues of the house were filled with soldiers; the place of their sitting was locked against them; they were permitted to wander up and down for a considerable time; and then were required to attend the protector in another chamber. The condition of their being permitted to exercise their right of representation being explained to them, the recognition of government was produced in the lobby of the house; an officer of the army was appointed to take their subscriptions; and one by one, as they conformed themselves to this requisition, they were allowed to enter[t].

But subscribed by the generality.

But, though the most high-spirited and independent of the members of parliament refused to submit to this insult, there were many that rea-

[t] Cromwel's Speech. Whitlocke, Sept. 12.

soned otherwise. They recollected that the recognition expressed no more than what was already contained in the indenture of their return, and therefore inferred that in reality they sacrificed nothing. They had been chosen to perform a sacred duty at a most critical season, and they ought not therefore to abandon the trust reposed in them for a mere formality. The officers of the army and the courtiers set them an example; and within an hour one hundred subscriptions had been received. They then sent for the speaker, and formed a house[u]. Forty more subscribed in the course of the day[x]; and, the affair being determined, in less than a month the subscribers amounted to three hundred[y]. Lord Grey of Groby was among those who signed[z]. It was an observation of Cromwel, that he was not angry with those who refused to subscribe, since one malcontent that was in the house, might prove more injurious than ten that were excluded[z].

Harrison secured.

The same day that this memorable transaction occurred, Cromwel had directed Harrison to be secured by a party of horse. He was however detained in custody less than a week, and then dismissed[a].

[u] Goddard, p. 35.

[x] Faithful Scout, Sept. 15. Mercurius Politicus, Sept. 14. Whitlocke says, The subscribers were about one hundred and thirty.

[y] Perfect Diurnal, Oct. 9. [z] Thurloe, Vol. II, p. 715.

[a] Whitlocke. Goddard, p. 37. Several Proceedings, Sept. 21.

CHAPTER X.

FORMIDABLE CHARACTER OF THE OPPOSITION. — INCESSANT DEBATES.—QUESTION OF THE PROTECTORATE, HEREDITARY OR ELECTIVE.—PART TAKEN BY LAMBERT IN THIS QUESTION.—DEBATES ON THE PROTECTOR'S NEGATIVES.

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Formidable character of the opposition that remained.

BUT, notwithstanding that by this arbitrary measure Cromwel had stripped the house of several of its ablest members, the proceeding was by no means attended with the effect he desired. The party of those, who regarded the indignity put upon them as unworthy of their notice, and resolved not to part with the advantage which was in their hands, was numerous. The presbyterians formed a large portion of the assembly; and the anti-courtiers still amounted to one half, if they did not rather form a majority of the members.

Proceedings respecting the recognition.

No direct notice is taken in the Journals of this interruption by the protector; the house simply adjourned from Tuesday to Thursday; and on that day, after some debate, came to a resolution, that the recognition of government did not com-

prehend the whole of the instrument of the sixteenth of December, but simply the government of the commonwealth by a single person and successive parliaments[a]. The further to maintain the dignity of the house, on the Monday following they converted this transaction into a proceeding of their own, coming to a resolution, that all persons who shall be returned to serve in this parliament, shall, before they are admitted to sit, subscribe the recognition of government[b].

Votes in favour of Cromwel.

The next day they resolved themselves into a committee to take into debate and consideration the government of the commonwealth[c]; and, to satisfy the person by whose act they had been called together, this committee immediately voted that the supreme legislative authority should reside in a lord protector and parliament; and, the day following, that Cromwel should be the protector, and that he should hold the office during the term of his natural life[d]. But, having determined this point, they proceeded to analyse the instrument itself, article by article, and occupied themselves in committee on this business, from the twentieth of September to the eighth of November. Finally, the instrument came out of their crucible in the form of sixty articles, instead of forty-two. All this time both the lord protector and the nation were held in suspense; and after the whole came

The Government discussed, article by article.

Time which is occupied in this proceeding.

[a] Journals. [b] Ibid. [c] Ibid. [d] Ibid, Nov. 7.

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out of the committee, it had to be voted over again in regular gradation by the house. The bill for settling the government was read for the first time on the twenty-second of December, and the second time on the day following. It was then three days in the committee; and the amendments passed in the committee, as well as others, occupied the parliament till the nineteenth of January, when it was read a third time[e].

Enumeration of the principal votes.

All this tedious, equivocal, and minute proceeding, little suited the determined character of Cromwel. On one day it was to be voted, whether the protectorship was to be hereditary, or for life only, and in what manner, and by what authority, a new protector was to be named; on another day, whether any law could be made, or tax imposed, for the future, except in parliament; and in what hands the power of declaring war and making peace was to be vested. All these questions were attended with long and obstinate debates; and the party of the protector was frequently left in a minority.

Life of Cromwel endangered by an accident.

A curious incident occurred on the twenty-ninth of September, which is thus related in Thurloe. "His highness, accompanied only by the secretary, and a few of his gentlemen and servants, went to take the air in Hyde Park, where he caused a few dishes of meat to be brought, and

[e] Journals.

made his dinner: after dinner the thought took him to drive his own coach, to which there were harnessed six fine horses, that had been sent him as a present by the count of Oldenburgh. He accordingly put Thurloe into the coach, and himself mounted the box. For some time he drove very well; but by and by, using the whip a little too violently, the horses set off at full speed. The postillion, endeavouring to hold them in, was thrown; and, soon after, Cromwel himself was precipitated from the box, and fell upon the pole, and from thence to the ground. His foot got entangled with the harness, and he was so carried along a good way, during which a pistol went off in his pocket [a proof that he was never without fire-arms]. At length his foot got clear, and he escaped, the coach passing along without injuring him[f]." He was confined with the consequences of the accident for two or three weeks[g].

The court-newspapers took no notice of this circumstance; and the opposition-papers spoke of it in the following style. "The lord protector went in his coach from Whitehall to Hyde Park: the horses, being extremely affrighted, set a running; insomuch that the postillion fell, whereby his highness was in some danger: but, blessed be God, there was little hurt[h]."

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[f] Thurloe, Vol. II, p. 652.

[g] Faithful Scout, Oct. 20.

[h] Ibid, Oct. 6. Wither, the poet, however printed on this occa-

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The question, whether the protectorate should be hereditary or elective, debated.

One of the most remarkable debates occurred in the committee in October. The point under consideration was, whether the protectorate, on the demise of Cromwel, should be hereditary or elective. That question, after being some time canvassed, had been left undecided[i]. This was probably at the same time that it was carried, immediately after the introducing the recognition, that Cromwel should be declared protector for life[k]. But it was found that the vote to make the office hereditary in his family was too strong for the present crisis, and even perhaps for some of the protector's friends, and therefore the suggestion was withdrawn. After an interval however, it was revived[l]. It was plainly a point near to Cromwel's heart. And upon this occasion we meet with a fresh instance of his wonderful powers of persuasion. Of all the counsellors of the protector, Lambert was held to be the man who combined the most statesman-like qualities with the most daring spirit of enterprise; and accordingly it was generally understood that Lambert, upon the demise of the present chief magistrate, looked forward to be the second lord protector of England. Cromwel undertook, the hardest perhaps

Cromwel prevails on Lambert to take his side in the deliberation.

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sion a copy of verses, entitled, *Vaticinium Casuale:* A Rapture on the Late Miraculous Deliverance of his Highness the Lord Protector from a Desperate Danger.

[i] Thurloe, Vol. II, p. 681.

[k] See above, p. 131.

[l] Thurloe, *ubi supra.*

of all imaginable tasks, to reason Lambert out of his ambition. What were the arguments he employed, we are left to conjecture. He had a forcible topic in the dangers and impolicy of an elective monarchy; and this topic had a double energy in the present distracted state of England, the difficulty with which the new system could at all be supported, and the numbers, the power and the wealth of those who openly or secretly favoured the house of Stuart. In addition to the strength of these reasonings, Lambert was probably affected by the earnestness and the energies of Cromwel. He could not find in his heart to disappoint the tried friend, and the illustrious leader, that stood before him. In a word he promised to give the proposition his fullest support.

Vote, that the protectorate should be elective.

Thus encouraged, Cromwel directed the question of the protectorate, hereditary or elective, to be revived in the assembly. This happened on the sixteenth of October. The debate occupied three days[m]. Lambert, as he had promised, made a long speech in support of the protector's wishes[n]. But it was in vain. Cromwel had enemies on this point even in his own family. Fleetwood, as we shall see afterwards, was strenuous against the re-erection of royalty. So were Desborough and Whalley. The most considerable of the mi-

[m] Goddard, p. 51. Whitlocke, Oct. 19.

[n] Thurloe, Vol. II, p. 681.

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litary officers were peremptorily on that side. Even Lambert perhaps, when he had discharged the task which the protector had prevailed on him to undertake, wavered in his opinion. The question was finally carried, two hundred for the elective chief magistracy, and only sixty for the hereditary.—This was in the committee.

The negatives reserved to the protector debated.

Another point, more pertinaciously contested, occurred in the house. Cromwel, in his speech of the twelfth of September, had insisted upon four points, which he regarded as fundamental: first, the government by a single person and a parliament; secondly, that parliaments should not be perpetual; thirdly, that the power of the militia should be in the single person and the parliament; and, fourthly, that liberty of conscience in religion should be maintained. On each of these points he required that a final negative on the acts of the legislature should be reserved to him: on all others his power extended no further than to suspend for twenty days their decrees from being acknowledged as law.

Propositions suggested by the two parties.

On the tenth of November the article concerning these negatives came to be voted in the house; and the question so earnestly contested appears to us to turn upon a very subtle distinction. The opposition-party insisted, that the bills upon which the protector should be entitled to this prerogative should be of a sort, containing in it something "contrary to such matters wherein the parliament

shall think fit to give a negative to the protector[o]." The court-party urged as an amendment, that the words should be, "contrary to such matters wherein the single person and the parliament shall declare a negative to be in the single person[p]." CHAP. X. 1654.

To understand the force of this distinction we must enter into the history and feelings of Cromwel. He held, that, when he dispersed the remains of the Long Parliament, he rescued his country from an insupportable tyranny. By this event, as he observed in his speech of the twelfth of September, all power was devolved into his hands; "things became subject to arbitrariness; and his authority over the three nations was boundless and unlimited." In his own opinion he made an exemplary use of this situation. He did not "grasp after this power to keep it in his own hands, no, not for a day[q]." He called first an assembly of his own nomination, the Little Parliament, upon whom he devolved the supreme authority and government of the commonwealth[r], and then a parliament freely chosen by the people according to law. But, in this last instance at least, he did not purpose the giving up his situation as chief magistrate. By the very indenture of election the members returned were restrained from altering the government, as it was already settled in Explanation.

[o] Journals, Nov. 10.
[p] Ibid, Nov. 11.
[q] See above, Vol. III, p. 529.
[r] Ibid, p. 531.

BOOK IV. 1654.

a single person and a parliament[s]. In Cromwel's construction therefore, however liberally he had used his authority, he was the fountain of all the government that existed, and the parliament derived its privileges from him and his writ. Taken in this sense, we shall easily see the distinction between the negative "which the parliament might think fit to give," and that "which the single person and the parliament should declare to be already in existence."

Importance of the distinction between them.

Nor was this by any means a trivial distinction. The authority of the protector rested upon a very precarious foundation. It had no prejudice of ages in its favour. It depended, as was sufficiently visible now, and became still more so after the decease of Cromwel, upon the energy of the character of him by whom the office was held. He had but a very small part of the nation for his adherents and abettors. The distinction therefore, whether he held his prerogatives from the gift of the parliament, or they their authorities by virtue of his writ and his fiat, was immense. If the latter, they might rise or fall, be summoned or dissolved, without shaking his power as the acknowledged chief magistrate. If the former, he was the creature of their breath. They might elect or confirm him in his office one day, and revoke their delegation on the next. This was the very question at issue between him and the republicans.

[s] See above, p. 124.

CHAP. X.

The result of the debate on the tenth of November was a majority on the side of the opposition, the numbers being, one hundred and nine to eighty-five [t].

1654. Triumph of the opposition.

The friends of the protector were tragical in their exclamations on this result. They said, that the house had by their vote, as far as a vote could do it, deposed the executive magistrate from his office. Lord Broghil declared, it was so mortal a wound to the government, that he would willingly have redeemed it with a pound of his blood. They openly threatened, that the mischief committed could only be remedied by a dissolution of parliament. The opposition felt that they had gone too far. The more moderate on either side joined to consult what should be done in this emergency [u]. And the next day the amendment of the court-party was carried without a division [x]. The negatives were taken into further consideration three days after (November the fourteenth), and the friends of the protector were twice left in a minority upon questions of the same import as in the former instance. But on the fifteenth an amendment was carried, taking away the most objectionable part of the previous decision [y].

The decision is reversed.

Further fluctuations.

The next question the parliament took into de-

Mode in which the successor was to be chosen.

[t] Journals. [u] Goddard, p. 63 to 71.
[x] Journals. Goddard, p. 70.
[y] Journals. Goddard, p. 73, 74, 75.

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bate was in what manner the next successor should be appointed[z]. It was finally decided that, if parliament were sitting at the time that the vacancy in the chief magistracy occurred, it should be for them to decide in what manner the office was to be filled; but, if this event occurred in the interval of parliament, that then the council, not fewer than thirteen members being present, and eleven of them agreeing in opinion, should determine on the successor[a].

Vote on the disposition of the forces of the commonwealth.

Many other important decisions were come to about the same time. On the sixteenth of November it was determined, that the forces of the commonwealth by sea and land should be disposed of and employed, during the sitting of parliament, by the lord protector, with the consent of parliament; and, the next day, that, during the intervals, they should be disposed of by the protector with the consent of the council[b]. In the following week it was resolved, that the ordinances which had been made by the protector and council for raising money for the service of government should be in force to the end of the present parliament; but that, in time coming, no law should be made, or tax imposed, without the consent of the national representatives[c]. On the second of December it was decided, that the mem-

on the ordinances made by the protector and council.

on the constitution of the council.

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[z] Thurloe, Vol. II, p. 681, 684, 685. Goddard, p. 53, *et seqq.*

[a] Journals, Nov. 30. [b] Journals. [c] Ibid, Nov. 23.

1654.

bers of the council should be nominated by the protector, and approved by the parliament: and, four days later, it was resolved, that the power of making war should be only in the protector and parliament, and that the persons to whom were appropriated the functions of chancellor, lord treasurer, and high admiral, whether vested in an individual or commissioners, together with the two chief justices and chief baron, as well as the chief governors of Ireland and Scotland, and the chief officers of government in those countries, should be chosen by approbation of the parliament[d]. A committee was also named on the twenty-sixth of September, to consider what the forces of the commonwealth now are, what are fit to be continued and what to be abated, and to confer from time to time with the protector on the subject. This committee consisted of seventy-two persons. But, among them, were the lords Richard and Henry Cromwel, and seven members of the council, Lambert, sir Charles Wolseley, Montagu, Desborough, Sydenham, Skippon and Mackworth; so that it is reasonable to presume that this measure was adopted with the concurrence of Cromwel. On the fifth of October it was agreed that twenty-eight of the ships of war should be laid down: but on the same day fifteen other members were added to the committee, so that per-

on the power of peace and war.

concerning the great officers of state.

Committee on the amount of the forces.

Ships of war to be put out of commission.

[d] Journals.

BOOK IV. 1654.

haps the complexion of this body was somewhat altered. On the fifteenth of November a report was made of an application to the protector respecting a reduction of forces and garrisons, to which he had given no answer: his answer is mentioned as received on the twenty-third [e]: and this is the latest notice we find in the Journals concerning this business.

Officers of state approved.

On the twenty-fourth of October the house voted its approbation of the appointment of Fleetwood to be lord deputy of Ireland, also of the three commissioners of the great seal of England [f], of the same three persons, with chief justice Rolle, chief justice St. John, Montagu and Sydenham, to be commissioners of the treasury, and of Rolle and St. John to be the two chief justices of England [g].

Alterations in Cromwel's ordinances proposed.

The parliament also canvassed with great freedom several of the ordinances that had been made by the lord protector and council. They brought in a new bill respecting the ejectment of scanda-

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[e] Journals.

[f] Whitlocke, Widdrington and Lisle. The second of these had excused himself from continuing in office under the commonwealth after the death of the king (See above, Vol. III, p. 11); but had been reappointed by the protector on the fifth of April in the present year (Whitlocke). He sat in the present parliament for the city of York. He had also been a member of the council of state for the year 1651 (See above, Vol. III, p. 234).

[g] Journals.

lous ministers, and debated whether the operation of the ordinance on that subject should not in the mean time be suspended. The latter question was carried in the negative [h]. They twice voted the suspension of Cromwel's ordinance respecting the court of chancery [i]; and brought in a bill of their own for better regulating and limiting the jurisdiction of that court [k].

[h] Journals, Nov. 6. [i] Ibid, Oct. 13, Nov. 25. [k] Ibid, Dec. 4.

CHAPTER XI.

PROCEEDINGS OF PARLIAMENT ON THE SUBJECT OF RELIGION.—ARTICLES OF FAITH.—JOHN BIDDLE.—DILATORY MEASURES OF THE PARLIAMENT IN THE MATTER OF SUPPLY.—EXTREMITY TO WHICH CROMWEL IS DRIVEN.—DISSOLUTION.

BOOK IV.

1654. Conduct of parliament on the subject of religion.

THE majority of the present parliament was presbyterian[a]; and they pursued on the subject of religion to a considerable degree the same policy, as on the other questions that came before them. They were aware of the substantial power which was at present wielded by the protector; and they were cautious not to place themselves in direct opposition to his views, or to provoke him to open war. Accordingly they granted to his will a majority of the points which were contained in the Government of the Commonwealth, at the same time that they endeavoured to qualify them, and in a moderate degree to control his will and authority. Thus, on their favourite point of national ecclesiastical establishment, the Government of the Commonwealth said, "Such as pro-

[a] Life of Baxter, p. 199.

fess faith in God by Jesus Christ, though differing in judgment from the doctrine, worship, or discipline publicly held forth, shall not be restrained from, but shall be protected in the profession of the faith, and exercise of their religion[b]." It was well known that Cromwel was an earnest stickler for toleration; but the prevailing party in the parliament was studious to devise in what degree they could evade the spirit of this article, without proceeding to the extreme of avowedly setting it aside. CHAP. XI. 1654.

It was directed that the whole house should sit on certain days as a committee for religion[c], and one of the proceedings of this committee was to appoint a sub-committee[d]. The sub-committee, consisting of more than fourteen persons, agreed each of them to nominate a divine, that these divines, meeting together, might, by way of comment on the phrase, "such as profess faith in God by Jesus Christ," draw up certain heads, the belief of which should be admitted as constituting the faith required. Owen and Goodwin, the two chiefs of the independent clergy, were in the list; Baxter, a presbyterian, was another; and the majority were of this latter party. If the narrative of Baxter, which alone remains to us, is to be trusted, Owen, vice-chancellor of the university of Oxford, was made the tool of the presbyterians. Baxter Committees. Articles of Faith.

[b] Art. 37. [c] Journals, Oct. 5. [d] Ibid, Oct. 31.

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says, Owen was the principal agent in drawing up these heads[e]. And in that case it must be admitted, that, forgetting the principle of toleration which was the characteristic of his sect, or not adverting to the use that was to be made of his labours, he lent himself to his adversaries, in counteracting the views of his great patron, and sacrificing that policy of universal forbearance which was the glory of his party. Twenty articles were accordingly brought into the house[f], the obvious tendency of which was to narrow the principle of toleration, and introduce that uniformity of faith which was the idol of the presbyterians.

Limitations on the protector's negative in matters of religion.

In the same spirit it was voted on the eighth of December, agreeably to the Government of the Commonwealth, that, if any bill should be passed by the parliament to compel persons to conform to the established religion, the protector should have a negative on such bill. But it was added, that such bills as should hereafter be passed, requiring conformity from the clergy who received a legal maintenance, or enjoining upon the laity an attendance upon public worship in some church or Christian meeting-house, should become laws without the consent of the protector being necessary to that purpose[g]. And again, a week after,

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[e] Life of Baxter, p. 197, 198, 199.

[f] Journals, Dec. 12.

[g] Journals.

it was resolved, that no law restraining tender consciences should pass without the protector's consent. But it was added, that such bills as should hereafter be passed, restraining atheism, blasphemy, or damnable heresies, the enumeration of which was to follow, should become laws without the consent of the protector being necessary for that purpose[h].

John Biddle.

The parliament, in its zeal against erroneous opinions, did not fail to single out John Biddle as an object of their censure. This person had published, about the beginning of the present year, a tract, entitled A Twofold Catechism, containing some very extraordinary positions. In this piece he argues against the licence with which certain persons allow themselves to interpret the phraseology of the scriptures in a purely figurative sense[i]; and he undertakes to shew from passages in the Bible, that God is confined to a certain place, that he has a bodily shape, a right hand and a left in the proper sense, that he is subject to passions, and that he is neither omniscient nor immutable. To these positions he adds the denial of the second and third persons in the trinity, and of the atonement, and that the wicked will be tormented eternally in hell[k].

His books seized by order of council.

The council, shocked with some or all of these

[h] Journals, Dec. 15.

[i] Twofold Catechism, Preface.

[k] Journals, Jan. 15, 1655.

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propositions, came to an early decision that the copies of this book should be seized, and voted that an answer to it should be published[l]. But they proceeded no farther. An answer was written by Dr. Owen.

He is sent to prison.

The parliament however conducted itself after another fashion. They appointed a committee to examine the Twofold Catechism, and another book by the same author, entitled Twelve Arguments respecting the Deity of the Holy Ghost, published in 1647, and directed that the writer should be sent for in custody as a delinquent[m]. Being brought to the bar of the house the next day, and examined, he was ordered to be committed to the Gate-house in Westminster in close custody, and to be denied the use of pen, ink and paper[n]. In the following month it was decided, that these books contained horrid, blasphemous and execrable opinions, and should be burned by the hands of the common hangman, and that a bill should be brought in for the punishment of the author[o]. The parliament being soon after dissolved, Biddle was freed in due course of law in May following[p].

Bill brought in against him.

Parliament seeks to prolong its sittings.

The house betrayed an early anxiety, that the various deliberations in which they had engaged should not ultimately become frustrate. The Go-

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[l] Order Book, Feb. 23, Mar. 2.
[m] Journals, Dec. 12.
[n] Journals.
[o] Ibid, Jan. 15.
[p] Bidelli Vita, p. 29.

vernment of the Commonwealth of the sixteenth of December 1653, was regarded by the protector and his adherents as the constitutional law of England; and nothing could divest it of that character, unless it were such an act of settlement as had been the principal object of the attention of this parliament from the commencement of its sittings. By that instrument the protector was empowered to prorogue or dissolve the assembly at the expiration of five months from its commencement, and not sooner. Their business therefore was to render it ineligible, and as far as might be impracticable, for him to put an end to their sittings, till the act of settlement, about which they were so earnestly engaged, was first clothed with all the authority of a law.

Dilatory proceeding in the matter of supply.

Influenced by this sentiment, they deferred almost all other business, and particularly the business of supply, till the act of settlement should be completed. By the Government of the Commonwealth it was ordered, that the protector and council should have power to raise money for the public defence, and to make such laws and ordinances as the welfare of the nation should require, which proceeding was to be binding and of force till parliament should otherwise direct[q]. Cromwel had made large use of this prerogative; and,

[q] See above, Vol. III, p. 596, 597. Government of Commonwealth, article 30.

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among his other ordinances, there was one of the eighth of June, for an assessment for six months for the maintenance of the army and navy, which would expire on the twenty-fourth of December[r]. The parliament took no notice of this circumstance till the seventh of November, when they voted that the house would speedily take into consideration the necessity of a tax to be laid[s]. On the twenty-first they resolved that there should be an assessment; but even then that it should be for three months only; and whereas Cromwel's ordinance directed, that it should be at the rate of one hundred and twenty thousand pounds *per* month from June to September, and of ninety thousand pounds *per* month from September to Christmas, they fixed the rate at sixty thousand pounds *per* month. The bill for this assessment was read a first and a second time on the twenty-eighth and twenty-ninth. The amendments to the bill were reported from the committee on the fourth of December; and then, careless what would be the situation of the public revenue, the third reading was postponed by various adjournments till the twentieth of that month[t]. The bill was never presented to the protector for his assent.

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[r] Scobel, 1654, cap. 22. [s] Journals.

[t] Journals. On the thirtieth of November in this year died John Selden, the last survivor of the four persons, named in the commencement of this work (Vol. I, p. 7) as the founders of the commonwealth.

CHAP. XI.

1655. Resolutions respecting the Act of Settlement.

Things now proceeded between Cromwel and the parliament from bad to worse. On the tenth of January it was moved by Cromwel's friends, that, before the act of settlement was engrossed, a conference should be had with the protector on the subject; but it was carried against them by a majority of one hundred and seven to ninety-five. On the sixteenth it was voted that this bill should be a law without needing the protector's consent. The next day the parliament felt they had gone too far, and directed that it should be engrossed, in order to its being presented to him for his consideration and consent; but it was at the same time decided, that, unless the protector and parliament should agree to the whole and every part of the bill, it should be void and of no effect[u]; thus cutting off Cromwel from the exercise of any sort of discretion on the subject. The third reading of the bill, as has already been mentioned, was on the nineteenth[x].

Extremity to which Cromwel is driven.

Cromwel was driven to the utmost extremity. Any day the act of settlement might be presented to him for his assent; and, that assent given, he would be placed in the most perilous crisis. Beside other functions of which he would for ever be deprived, one express clause was, that the or-

[u] Journals.

[x] See above p. 132. The same thing has happened to the act of settlement of 165⅓, as to the act for dissolving the Long Parliament (See Vol. III, p. 158, 459). No copy of it is now to be found.

BOOK IV. 1655.

dinances which had been made by the protector and council for raising money for the service of government should be in force to the end of the present parliament; but that, in time coming, no law should be made, and no tax imposed, without the consent of the national representatives[y]. He would have delivered himself up, bound hand and foot, into the power of the parliament. They had already sufficiently shewn their temper on the subject. They had passed a bill of assessment for the maintenance of the army; but had not yet tendered it for the protectorial assent. They had shewn themselves careless as to the means by which the government should be carried on in the interval, the last ordinance of assessment having expired on the twenty-fourth of December. The present bill was expressly for three months only. Supposing the two acts to have passed therefore, the parliament would have insured its own sitting till March, and after that for just as long, and for as repeated protractions and delays, as they had thought proper. The government would have been no longer such as Cromwel had contemplated, by an executive magistrate under the name of protector, and a parliament. It would have been such as Charles the First had made it, when he gave his assent in 1641 to the bill that the legislature should neither be dissolved nor

[y] See above, p. 140.

prorogued but by their own consent. The present assembly might have sat till the eve of the next parliament which was to meet in October 1656[z], and then have delivered up their power into the hands of their successors.

He deliberates concerning a dissolution of parliament.

Under this circumstance Cromwel unavoidably deliberated respecting the dissolution of the assembly. Grave debates were held in the council what measure it would be most proper to adopt[a].

Counsels of Whitlocke.

Whitlocke (not a member of the council) very earnestly dissuaded Cromwel from so untemporising a measure, setting before him the extreme mischiefs that had always been found to succeed upon the abrupt dissolutions of the legislature[b].

Temper in which Cromwel's judgment was formed.

Cromwel's character however peculiarly fitted him to encounter such a crisis as that in which he was now placed. He was undaunted. And, when we apply that epithet to him, we use the phrase in its most extensive meaning. The texture of his mind suggested to him the sentiment, *Nil desperandum*. Nothing could quail him. His serenity and presence of mind on occasions of a paramount necessity were invincible. He always felt that there was an expedient equal to the emergency in which he was placed, and that would set all right again; and he always found that expedient.

The character of Cromwel and Charles the First distinguished.

He resolved upon a dissolution. It was true that by proceedings in that sort Charles the First

[z] Journals, Nov. 24. [a] Whitlocke, Jan. 29. [b] Ibid. Jan. 20.

BOOK IV. 1655.

had ruined himself, and been finally brought to the scaffold; for, after having dissolved four parliaments, he would have dispersed the fifth by violence, if it had been in his power. Cromwel however was not a Charles the First. The temper of that monarch perpetually drove him upon extreme measures: but, when the die was cast, his powers became exhausted; he had not the elasticity or the loftiness of spirit that should have carried him through; he knew not how to get out of the difficulty himself had made; and he had nothing left to support him but a sullen and invincible obstinacy.

His military advantages.

Moreover Cromwel had a formidable, a well disciplined, and a veteran army, an engine which Charles was wholly without. It is true that this army was composed of precarious materials; it contained within its bosom many of his most inveterate enemies, and particularly a large and enthusiastical party that had sworn his destruction. But Cromwel did not doubt by his vigilance to defeat their intrigues, and to play his friends against his enemies so skilfully, that he should always remain the victor. In a word, he had such resources in his own mind, and such courage, as rendered him equal and superior to all the difficulties he might have to encounter.

He takes the parliament by surprise. January 22.

Having resolved on a dissolution, he thought of an expedient that enabled him to effect this measure in the most masterly manner. By the

Government of the Commonwealth the parliament was entitled to sit uninterrupted for five months; and those who led the majority in that assembly, believed that at worst they were secure till the third of February. What they would have done or attempted in that time we can only conjecture. Cromwel however thought proper to apply to the case a rule that he borrowed from the mode of paying the English soldiers and sailors, according to which a month was construed to mean twenty-eight days only. He therefore inferred that the five months during which the parliament was entitled to sit, expired on the twenty-second of January. What difference this short interval of twelve days would have made to him we know not. At all events he gained what the kings of England have since been accustomed to gain by the uncertainty of the period at which parliaments are dissolved; he baffled the measures of his opponents. And he did this the more completely in the present case, because they in no sort anticipated the surprise at which they were taken.

The dissolution of the parliament under all the circumstances appears to have been a matter of indispensible necessity. The majority of its members were presbyterians, that is, friends to the restoration of the house of Stuart. But they had no talents qualifying them for so arduous an

The dissolution indispensibly necessary.

BOOK IV. 1655.

undertaking. They therefore began with confirming the protectorate of Cromwel, though they next sought to shape and limit it to their fancy. One of their most formidable ideas was that of prolonging their own power; and, if Cromwel had submitted to them in that respect, his character, the mighty ascendancy of his genius, which was the soul of the present system, would have been gone. It is difficult to say what would have succeeded. His was an infant reign, which could not have been preserved by halves, and could not have lived amidst the doubts, the sceptical scrutinies, and the contempt of its subjects. What then would the parliament have done? Would they have opened a negociation with Charles the Second? This would only have produced "confusion worse confounded." The army in reality was at this time the great power in England, that, united, was able to effect whatever it pleased. It was not united. But it is a singular circumstance, that there was scarcely a presbyterian in all its roll. A great part of the army adhered to its illustrious general; they loved him for his personal qualities; they contemplated with astonishment and admiration the unrivalled powers of his mind; they believed in the sincerity of his love for the cause of liberty, however circuitous and indirect were the ways he pursued in its support. Another, and a very

Importance of the army.

Disposition of its members.

considerable part of the army regarded him as an apostate; they had sworn, as well as he, eternal hostility to the government by a single person; and they were prepared to encounter all extremities, rather than not fulfil that oath to the very letter. CHAP. XI. 1655.

CHAPTER XII.

REVIVED HOPES OF THE ROYALISTS.—COALITION OF ROYALISTS AND REPUBLICANS.—DESIGNS FORMED ON THE ARMY IN SCOTLAND.—EXTENSIVE RAMIFICATIONS OF THE COMMONWEALTH-PLOT IN THE SOUTH.—PREPARATIONS OF THE ROYALISTS.—ROCHESTER AND WAGSTAFF.—INSURGENTS AT SALISBURY.—EXECUTION OF PENRUDDOCK AND OTHERS.—SEVERITIES EXERCISED ON THE INFERIOR DELINQUENTS.

BOOK. IV.

1655. Diminished authority of the protector.

CROMWEL addressed the parliament at its dissolution in a speech of considerable indignation. He felt with keenness in how much a worse situation they were about to leave public affairs than they had found them. They had sat completely or nearly for five months, and in all that time had not tendered one bill for his assent. They had suffered even laws of taxation to expire without being replaced. During the period from the dissolution of the Little Parliament, the government had been perpetually acquiring character, had been respected by foreign nations, and had administered internal affairs with a mild, yet firm policy. But now, there was a second power

in existence, the representatives of the people, who it was conspicuous were not in accord with the executive government, and the public seemed called upon to consider in which of the two they should place their confidence. This situation obscured as with a cloud, and cast an appearance of contempt upon, the authority of the protector.

Revived hopes of the royalists.

The consequence of this, as Cromwel told the parliament, was, that all discontented parties felt themselves prompted to improve the opportunity thus thrown into their hands, to overturn the government. At the time of their meeting all was peace and tranquillity; but now it was much otherwise. The partisans of the house of Stuart had for a considerable time been making preparations, collecting arms and money, and issuing commissions for regiments of horse and foot, that war might be at once commenced in different counties and parts of England, for the purpose of restoring the old government. Nor was this all; but a party the most opposite to this, the adherents of the pure principles of a commonwealth, had entered into correspondence with the royalists, to join their forces for the destruction of the present system.

Coalition of royalists and republicans.

Provocations of the republicans.

The more fully to understand this, we must consider that the genuine republicans were in the highest degree exasperated against Cromwel. Certainly a more flagrant usurpation is not to be found upon the records of the history of any coun-

BOOK IV. 1655.

try. Cromwel, by his own will, and without the pretence of any delegation or authority, had dispersed the Long Parliament, the only legitimate power then existing in England, the power from which he had received his commission, and even the ability to command a single regiment or a single soldier. He had called together a mock-parliament, every member of which had been purely of his own nomination; he had dissolved that parliament; and he had then, aided by his council of officers only, set up what he called the Government of the Commonwealth by a lord protector and a parliament.

Their animosity proportioned to the confidence they had before reposed in Cromwel.

The republicans considered Cromwel with the more inextinguishable alienation, inasmuch as they had trusted him with entire confidence, as he had expressed in the most unequivocal manner the same principles as themselves, and as the style in which he had expressed them was so fervent as to make distrust in a manner inadmissible and profane. No one ever listened to the energy and frankness of his language, that could without the utmost difficulty be persuaded that his heart was not in all that he said. They looked now therefore with more toleration upon the exiled king and his adherents, than upon the new usurpation to which they were subjected. In reality however, their resolution was to refuse no means by which they could bring to an end the reign of Cromwel. Their purpose was to take advantage of the con-

Views by which they were directed.

fusion that should be created by the royalists; and they did not doubt that, when the usurpation was extinguished, they should be easily strong enough to shake off their new allies, and again to restore the pure system of a commonwealth[a]. The discipline and strength of their army rendered this expectation by no means improbable. CHAP. XII. 1655.

One of the most conspicuous persons on this occasion was Overton. It is somewhat singular, that this officer should have been summoned by Cromwel from Scotland to London in May (knowing that he was an anabaptist, and fearing that he might be instigated to take arms against the protector), and detained till September[b]. At the end of that time however Cromwel was so well satisfied with the frankness of his professions, that he sent him back to his post in the north, and even appointed him second in command to Monk in the room of general Morgan[b]. While he was in London, as his most intimate and confiden- Overton. He is sent second in command to Scotland.

[a] Whitlocke, Feb. 13. He adds, "Divers suspected their design at the bottom of it to intend the bringing in the king; inasmuch as they made it a part of their declaration, to call a *truly free parliament*, which was the ready way for the king's restoration." There is little force in this argument: but it deserved to be noticed, as affording a strong proof what was this author's judgment respecting the general bias of the national sentiments.—Add to this, Whitlocke's observation applies particularly to the manifesto of Wildman (See below, p. 165), who, there is reason to think, went over at this time in the fullest extent to the party of Charles the Second.

[b] See above, p. 70.

BOOK IV.

1655. He cabals against Cromwel.

tial friend was Milton, he probably adopted the sentiments of that great man on the subject of the protectorate. But he no sooner got back to the forces in Scotland, than he found so many of the principal officers, and so large a part of the whole army, inspired with a vehement animosity against Cromwel, that he could no longer resist sentiments which were in their own nature more congenial with his own. After a certain number of consultations, the malcontents believed themselves able to bring three thousand foot, beside horse, into the field. They therefore resolved to seize the person of Monk, to transfer the command of the Scotish army from him to Overton, and then immediately to march into England. They believed they should be joined by Bradshaw and Haselrig in the north[c]; they corresponded with vice-admiral Lawson, who promised to support them with part of the fleet[d]; and then, aided by their own supporters in various parts of England, and reinforced by the adherents of the house of Stuart, who promised an earnest cooperation, they entertained a sanguine hope of being able to overturn the present government.

Design formed to deprive Monk of his command.

Expectations they form of supporters in England.

Overton corresponds with Charles the Second.

Overton's correspondence with the exiled sovereign is established by several informations[e], as

[c] Thurloe, Vol. III, p. 35, 147, 185. [d] Ibid, p. 185.

[e] Ibid, p. 217, 280; Vol. IV, p. 132. Noble says, "Monk sent a paper, in which it was thought there had been a conspiracy to seize him, and march into England. There were also indu-

well as might be presumed from the line of conduct adopted by many of the malcontent republicans at this time. CHAP. XII. 1655.

Overton fell into dangerous hands, when he was subject to the overlooking of such men as Cromwel and Monk. A meeting of malcontent officers was appointed at Edinburgh for the first of January; and this was understood to be the day on which the master-stroke was to be struck[f]. But Cromwel, who had received sufficient intimation what was preparing, sent orders for Overton to be secured, which was accordingly effected at Aberdeen in the close of the preceding month[g]. Other conspirators were apprehended at the same time[h], and the whole plot was frustrated. Overton

He is sent prisoner to London.

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bitable proofs of letters, dispatches, &c, from the king; and his relation, captain Overton, at that time governor of Hull, confessed the whole plot. (Lives of the Regicides, Vol. II, p. 114)." This author is in the habit of not referring to his authorities; and I can trace no authority for his concluding statement.

Overton's verses on Cromwel may be cited as evidence of the state of his mind. The following lines shall serve as a specimen.

"A Protector—what's that? 'Tis a stately thing,
That confesseth itself but the ape of a king,
A counterfeit piece, that woodenly shews
A golden effigies with a copper nose.
In fine he is one we Protector may call,
From whom may the king of kings protect us all."

Thurloe, Vol. III, p. 75, 197.

[f] Several Proceedings, Jan. 11. [g] Thurloe, Vol. III, p. 46, 55.
[h] Ibid, p. 55.

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was shipped off immediately for London, and committed to the Tower.

1655. Account of conspirators in England.

The most active individual among the republican conspirators in the south, was John Wildman, the same person who had played a conspicuous part in the councils of the agitators in 1647, and who had entered into a plot at that time with Lilburne for the assassination of Cromwel[i]. He had great fluency as a writer, and was much employed in drawing up the manifestos and grievances of the party. His cabals on this occasion are said to have begun from the meeting of parliament in the preceding September; and his activity was first exercised in the drawing petitions and remonstrances to be presented to that assembly. Various meetings were held, in which Okey, Alured, Lawson and Hacker were present. Henry Marten and Lord Grey of Groby were said to have sometimes attended[j]. Haselrig is represented to have been backward to engage, but to have said, if he saw the candle lighted, the bishopric of Durham should shew itself forward to hold it up[k]. Sexby appears to have been a principal person in travelling, and carrying communications from one conspirator to another[k]. No doubt was entertained of the cooperation of Harrison, Carew, and other anabaptists[l].

John Wildman.

Edward Sexby.

[i] See above, Vol. II, p. 426, 434.

[j] Thurloe, Vol. III, p. 35, 147.

[k] Ibid, Vol. VI, p. 829.

[l] Ibid, Vol. III, p. 148.

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The places they are said to have relied on to support their undertaking, were Edinburgh, Berwick, Hull, Taunton, Bristol, and Portsmouth. The regiments from which they had received encouragement, were those of Overton, Alured, Okey, Pride, Tomlinson, together with those lately commanded by Harrison and Rich[m]. Extent of their undertakings.

All these formidable preparations were defeated by the prompt measures of Cromwel. Harrison was brought before the council on the twenty-fifth of December, but appears to have been dismissed with a suitable admonition[n]. Wildman was apprehended in the very act of drawing a manifesto, entitled, The Declaration of the Free and Well-affected People of England, now in Arms against the Tyrant, Oliver Cromwel[o]. Lord Grey of Groby was taken into custody at the same time[p]. He was committed to Windsor Castle[q], Harrison to the isle of Portland, and Carew to St. Mawes in Cornwal[r]. The leaders taken into custody.

Meanwhile the preparations were carried on with extraordinary activity by the king's friends; and a general rising was meditated about the beginning of March by that party in various parts of Preparations of the royalists.

[m] Thurloe, Vol. III, p. 148.

[n] Several Proceedings, Dec. 28.

[o] Whitlocke, Feb. 13. Clarendon, Vol. III, p. 500. Ludlow, p. 533. Thurloe, Vol. III, p. 147.

[p] Thurloe, Vol. III, p. 148. [q] Perfect Diurnal, Mar. 5.

[r] Ibid, Feb. 26.

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England, Yorkshire, Shropshire, Nottinghamshire, Devon, and Wilts[s]. Wilmot, about this time created earl of Rochester, came over to England in disguise, accompanied by sir Joseph Wagstaff, who had served in the civil war for Charles the First, and hid himself for a short time in London[t]. Charles the Second, who, in consequence of the negociations carrying on between Cromwel and the court of France, of which we shall presently have occasion to speak, had found himself obliged to quit Paris about Midsummer[u], and had spent the winter at Cologne, now came privately to Middleburg in Holland, accompanied by the marquis of Ormond and others, that he might be ready to pass over to England at a few hours' notice, if the condition of affairs should shew themselves sufficiently promising to authorise such a measure[v]. The scene of his landing principally talked of, was Hull, which was presumed to be altogether under the control of Overton[x].

1655. Rochester and Wagstaff.

Charles the Second at Middleburg.

The activity of Cromwel and his assistants speedily defeated these multiplied intrigues. It does not appear that hostilities any where were actually commenced except in Yorkshire and the West of England. In the northern county

Insurrection in the north.

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[s] Thurloe, Vol. III, p. 220, 221, 222.

[t] Clarendon, Vol. III, p. 554.

[u] Carte, Life of Ormond, Vol. II, p. 162. See below, p. 184.

[v] Clarendon, p. 554, 555.

[x] Thurloe, p. 182, 207.

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sir Henry Slingsby and sir Richard Maleverer rose in arms; but their insurrection was immediately suppressed, and themselves taken into custody[y]. Rochester had barely shewn himself among them; and, not seeing sufficient encouragement to enter on action, he returned to London[z]. At Aylesbury he was taken into custody, but contrived to escape, and speedily after got over to the continent[a].

in the west.

At the same time that the earl of Rochester had directed his course to the north, sir Joseph Wagstaff, his companion, proceeded for the west.

Insurgents at Salisbury.

The rendezvous of his party was fixed for a spot within two miles of Salisbury; and, though the numbers that met scarcely amounted to two hundred, they had the audacity to march in the night of Sunday, the eleventh of March, into the town, where the assizes were to be held the next day, and where, early in the morning, they seized chief justice Rolle, another judge, Nicholas, and the high sheriff, in their beds. They hoped, by an action of such boldness and eclat, to encourage their partisans, and trusted that by this means the persons who had failed in the exact observance of the rendezvous, would speedily be induced to repair to them from the neighbouring counties.

Seize on the judges.

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[y] Whitlocke, Mar. Thurloe, p. 304.

[z] Clarendon, p. 560. Bates, Part II, p. 183.

[a] Thurloe, p. 336. Clarendon, p. 561, 562.

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They are ordered to the gallows.

The judges were no sooner brought into the market-place, where the royalist horse were drawn up in martial array, than Wagstaff instantly issued orders for their execution on the public gallows. He thought that this would be, to throw away the scabbard at the same time that he drew the sword, and was convinced that in no other way could he so effectually serve the royal cause. But the volunteers under him, who were most of them gentlemen, and especially colonel Penruddock, a man of high honour and humanity, felt inexpressibly shocked at so savage a proceeding; and expostulated with their commander with such earnestness of importunity, that he was obliged to depart from his bloody purpose, and dismiss his prisoners [b].

But speedily set at liberty.

Retreat of the royalists.

The citizens of Salisbury appear to have looked on, without discovering any inclination to join the insurgents; and the royalists were so discouraged at finding that they gained no reinforcement to their numbers, that they quitted the place on the same day, after a stay of only a few hours. From Salisbury they retreated to Blandford, and from Blandford to South Molton, where they were attacked by captain Unton Crooke with a body of troops, and after a sharp conflict de-

The insurrection is quelled.

[b] Whitlocke, Mar. Clarendon, p. 557, 558. The latter of these authors says, that the hanging of the judges would have been a "seasonable act of severity."

feated, Penruddock and many others being made prisoners, and Wagstaff escaping with difficulty [c].

1655. Punishment of the insurgents.

Cromwel ventured, in the case of these insurgents, to proceed against them in the ordinary forms, by trial by jury. They had clearly levied war against the actual government of the country, and were therefore guilty of the highest of civil crimes. The judges employed to try the prisoners were Thorpe, Glyn, and Steele, recorder of London. Rolle declined sitting, lest, as it was given out, he might be thought to be influenced by personal resentment. A commission of oyer and terminer was issued, which held its sessions at Salisbury, Exeter and Chard. At each of these places some prisoners suffered capitally: Penruddock was beheaded at Exeter. It is observed by Bates and Clarendon, that not many of the inferior offenders were put to death; several had their punishment remitted at the intreaty of their fathers, sons, or brothers; a number of them were shipped for Barbadoes [d]. Two or three were executed at York. Not one of the commonwealthsmen was brought to trial for his share in this insurrection.

Pertinacious spirit of the royalists, difficulties it imposed upon the government.

It is perhaps one of the inevitable misfortunes of a government like that of Cromwel, and of the commonwealth which immediately preceded his,

[c] Whitlocke, Mar. Ludlow, p. 516, 517.

[d] Elenchus Motuum, Part II, p. 184. Clarendon, p. 559, 560.

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that they are obliged to proceed on occasions of extensive insurrection, with a rigour which men who live in more tranquil seasons find it difficult to conceive. The English nation was ruled at this time by a set of men amounting to a small portion of the community. Nor was this all. There was another set of men more numerous than they, who, being the sworn adherents of the system they had by force of arms superseded, were thoroughly persuaded that there was a sacred right, a right of prescription and indefeasibleness belonging to the preceding government, which it was the highest virtue in them at all times to assert, and to seek to restore. They clung to it, not for its abstract fitness and beauty, but because it had descended to them from their ancestors, and because it was English. It was difficult to contend with such men, and all but impossible to suppress them. The presbyterians, the independents, the fifth-monarchy men, all and each of them, contended for the ascendancy of their respective political creeds; but their contention was of a very different sort, and by no means so formidable as that of the royalists. They were disposed, so to express their temper, to try their chance, to make a vigorous effort, and, having done that, to subside into inaction, and to submit to fate. But the creed and the devotion of the adherents of the house of Stuart and of the ancient monarchy, seemed to be immortal.

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This circumstance no doubt imposed a severe responsibility upon their adversaries and their conquerors. They had the cause of liberty and human improvement to balance on one side, and the will and the almost invincible prejudices of a great portion of their countrymen on the other. They had fought for liberty through many a hard campaign, and had acquired it. They had fought against arbitrary power, and a government without parliaments. Having conquered, they were to consider how the fruits of conquest might best be secured. They believed, that this could only be effected, by the perpetual exclusion of the house of Stuart. This made them feel it as an indispensible duty, to maintain the government of the majority of the community by the minority.

Expedients employed to counteract it.

We have seen with how much vigour and skill the rulers of the commonwealth triumphed over the invasion of the king and his followers in the campaign of the battle of Worcester. The field being won, they considered how best to improve the advantages of victory. Ten thousand men of the invading army had been made prisoners [c]. The partisans of the exiled family were confessedly numerous in almost every part of England. Those who remained quiet, and demeaned themselves as peaceable subjects, were allowed to participate in the general protection of the state.

Severities exercised against the royalists after the battle of Worcester.

[c] See above, Vol. III, p. 273.

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1655. But so many as were found in arms, the government held themselves entitled to remove[f], and thus to shew that they would not suffer the public tranquillity for ever to be disturbed with impunity. Two or three thousand protestants were computed to have been sent to Barbadoes[g].

after the present insurrection. Cromwel followed the example which had been set by the commonwealthsmen, on the present occasion. A number of the prisoners which had been made in Penruddock's insurrection, and of persons who had been thrown into prison for their concern in exciting that insurrection, were shipped for the West Indies. A petition was presented to the parliament under the protectorate of Richard, on the part of seventy persons who had on that occasion been made slaves in Barbadoes[h]. Somerset Fox, one of the persons who had been tried for his share in the assassination-plot of Gerard, and had pleaded guilty[i], had had the capital punishment remitted to him, but was sent to Barbadoes[k]. It appears that, when they arrived at the place of their destination, they were sold in the public market[l]. It was alleged however, that their slavery was limited to five years, and that a distinction was made in favour of their

1659.

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[f] See above, Vol. III, p. 276.

[g] Burton's Diary, Vol. IV, p. 272.

[h] Journals, Mar. 25, 1659.

[i] See above, p. 78.

[k] Thurloe, Vol. III, p. 453.

[l] Burton's Diary, Vol. IV, p. 256.

condition, above that of the negroes who worked in the cultivation and preparation of sugar [m]. Vane and Haselrig protested against the arbitrariness of this proceeding [n]; but nothing was done for the relief of the petitioners.

[m] Ibid. p. 258, 259.

[n] Ibid, p. 262, 271.

CHAPTER XIII.

ORDINANCES OF TAXATION. — OPPOSITION OF CONY.—HE IS SENT TO PRISON.—QUESTION HEARD IN THE UPPER BENCH.—COUNSEL OF CONY (MAYNARD AND TWO OTHERS) SENT TO THE TOWER.—RESIGNATION OF CHIEF JUSTICE ROLLE.—OF TWO OTHER JUDGES.—KEEPERS OF THE SEAL DISMISSED.

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1655. Government of Cromwel increases in stability.

AN insurrection at once so serious and extensive, and which yet was so speedily quelled, was an event in the highest degree fortunate for the views of Cromwel. It impressed on all an opinion of his extraordinary talents and vigour. It gave a striking appearance of stability to his government, which had been shaken to its foundations, by the continuance of the struggle between him and the parliament which he had recently dissolved.

Ordinance of taxation.

One of the main engines by which the parliament had thought to carry its purposes, was the denial of the supplies. But they formed in this an erroneous opinion of the man with whom they had to contend. Cromwel did not suffer himself to be shaken by the difficulty to which he was thus exposed; he did not allow it to be doubted for a

moment whether he could carry on the affairs of the public without their assistance. He had recourse to that article in the Government of the Commonwealth which said, that the protector and council shall have power to raise money, and to make laws and ordinances for the welfare of the nation, till the parliament shall otherwise order. The ordinance of assessment for the maintenance of the army and navy expired on the twenty-fourth of December; and on the eighth of February the council issued a fresh ordinance, enacting an assessment to continue till the twenty-fourth of June following [a]. The rate was fixed at sixty thousand pounds *per* month; and, as the enemies of Cromwel had disseminated the idea that he would impose a more burthensome taxation, the public in general were delighted with his moderation, and quietly submitted to what was required [b].

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Another form of attack was commenced on his government, which with less resolution and constancy on his part would have threatened the most serious consequences. So long ago as the fourth of the last November, while the parliament was still sitting, one Cony, a merchant in the city, refused to pay certain custom-house duties on the goods he imported, on the pretence that they were not imposed by a legal authority. For this offence

1654. Opposition of Cony.

[a] Hughes, Abridgment of Acts and Ordinances, cap. 709.

[b] Thurloe.

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1654. he was brought before the commissioners of customs on the sixth, and condemned in a fine of five hundred pounds on the sixteenth. Refusing to pay the fine, he was committed to prison on

1655. the twelfth of December for contempt. A writ of *habeas corpus* was moved for in his favour in the following term; but the question stood over beyond Easter on account of some technical informalities[c]. He retained three of the most eminent counsel at the bar, Maynard, Twisden and Wadham Windham, to plead for him; and the question came on to be heard on the seventeenth of May[d].

State of the question in a legal view.

This was an affair of vital importance to the government of Cromwel. An ordinance had been passed by the lord protector and council on the twentieth of March 1654, for the continuation of the duty of customs for the four succeeding years[e]; and it was under the authority of this ordinance that the duties of customs were at present collected. But the question was, whether those who issued this ordinance had power to make a law[f]. It was a maxim among the professional men, that the written laws of England were statutes, acts or edicts, enacted by the people assembled in parliament; and no maxim seemed more essential to the existence of national freedom.

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[c] Selwood, Narrative of Case.
[d] Perfect Proceedings, May 24.
[e] Scobel, 1653, cap. 15.
[f] See Whitlocke, June.

The power of the council to make laws hinged upon the authority of the record called the Government of the Commonwealth. But, if brought into a court of justice, what was this record? It was a document, prepared by the council of the army, and sanctioned by the principal officers of state. This could not for a moment stand the scrutiny of men bred in the technical habits of the courts, as being of force to change the essential dicta of the English constitution.

Arguments of the executive government.

On the other hand the necessity of the case seemed to supersede all objections. The old government of the state had for the moment perished; and it was indispensible, that the affairs of the nation, as they respected its internal peace and its foreign relations, should be administered in the best mode that offered itself. This was the ground upon which Cromwel stood. And he thought scorn that the public welfare, that a power which he had so hardly earned, and a government which commanded general deference at home and abroad, should be subverted by the nice disputes, or the elaborate deductions, of a band of lawyers[g].

Vital character of the question at issue.

It was a terrible dilemma into which Cromwel

[g] Clarendon ridiculously introduces this affair in the following terms. "One time, when Cromwel had laid some very extraordinary tax on the city, one Cony, an eminent fanatic, positively refused to pay his part." Vol. III, p. 649.

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was driven by this case of Cony; and it required equal prudence and firmness to extricate himself from it without mortal injury. If he gave way, if Cony came off victorious in the contest, his government was gone; or, to speak more accurately, it would from that time forward have been a government of violence and military force only. Every one, excited by the example of Cony, would have resisted every tax, and would have defended their resistance on the same grounds that he did.

Cony's advocates sent to the Tower.

Cony's counsel appear to have done full justice to the case of their client; and Maynard in particular urged such arguments, and inforced them with such vigour, as, if ceded to, would have shaken the government to its basis. The cause was argued on the seventeenth of May; and the next day Maynard and his fellow-pleaders were sent to the Tower, on the charge of having held language destructive to the existing government[h].

The case is adjourned.

The case did not end here. The day following, Cony, unsupported by counsel, presented himself at the bar of the upper bench, and did

Scruples of Rolle, lord chief justice.

such justice to the situation in which he was placed, that Rolle, who presided in the court, felt utterly at a loss what to determine. What grammarians call the sign of the dative case, the preposition *to*, before "Oliver Lord Protector," being omitted in Cony's answer, the decision was post-

[h] Perfect Proceedings, May 24.

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poned[i]; and his next appearance being on the last day of term, the affair was ordered to stand over to the next term[k]. In the mean time Rolle represented the difficulties under which he laboured in such a manner to Cromwel, that he received his writ of ease on the seventh of June[l]; and in the following week Glyn was appointed to succeed him as lord chief justice of England[m]. Maynard, Twisden and Windham had previously on their submission been discharged from confinement[n]; and Cony was prevailed upon by some means to bring his cause no more before the court[o].

1655. He is allowed to resign.

Glyn appointed in his room.

Submission of the pleaders.

It was before the close of this question of Cony, that another affair of a similar nature occurred to Cromwel. From the commencement of the protectorate he had granted patents to only seven judges, Rolle and Aske for the upper bench, St. John, Atkins and Hale for the common, and Thorpe and Nicholas for the exchequer[p]. To these Cromwel added, on the thirtieth of May 1654, Richard Newdigate for the upper bench, Hugh Windham for the common, and Richard Pepys for the exchequer[q]. But this arrange-

Appointment of judges.

[i] Perfect Proceedings, May 24. [k] Ibid, May 31.

[l] Ibid, June 13. He died, 30th July, 1656.

[m] Docquet Book of the Crown Office.

[n] Perfect Proceedings, June 7. [o] Ibid, June 21.

[p] See above, p. 24, 25.

[q] Docquet Book of the Crown Office.

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ment was destroyed at the period of which we are treating. The law under which those who were engaged in the late insurrection were tried, declaring that to compass or imagine the death of the protector, or to raise forces against the present government, was treason, was, like the law for continuing the customs, an ordinance of the lord protector and council[r]. The judges who sat on the prisoners in the west, were Thorpe, Glyn and Steele[s]. Rolle declined sitting, as was alleged, lest he might be thought influenced by personal resentment, in deciding the fate of the men, who had threatened to hang him at Salisbury[t]. But, as his opinion, in the case of Cony, was unfavourable to the legislative authority of the protector and council, it is not improbable that that consideration might have had its influence in his declining to sit upon the commission at Salisbury and Exeter[u]. These trials being over, a further commission was prepared for the arraignment of the prisoners in the north; and the names of Thorpe and Newdigate were ordered to be put in this commission[x]. But they no sooner received notice of the design, than they waited on the protector, giving in their excuses,

Resignation of Newdigate and Thorpe.

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[r] See above, p. 34. [s] See above, p. 169. [t] Ludlow, p. 517.

[u] Clarendon says expressly, "He raised some scruples in point of law, whether the men could legally be condemned."

[x] Thurloe, Vol. III, p. 359, 360, 385.

and requesting that they might not be called on to discharge an office, which their consciences disapproved. The consequence was, that they received their writs of ease on the third of May[y], as Rolle did in the following month. In some measure to supply the vacancy thus occasioned, Steele was appointed chief baron of the exchequer on the twenty-eighth[z].

Whitlocke and Widdrington, keepers of the seal, dismissed.

The difficulties Cromwel had to encounter on the question of the competence of his council to make laws and ordinances, did not end here. An ordinance had been made in August 1654 for limiting the jurisdiction of the court of chancery

[y] Perfect Proceedings, May 10.

[z] Docquet Book of Crown Office. In July following Richard Pepys, one of the barons of the exchequer, was removed from that situation, and made chief justice of the upper bench in Ireland.

It is here that Clarendon (Vol. III, p. 650) introduces the absurd story, resting on his authority only, of Cromwel, in reply to the expostulation of the judges, speaking of Magna Charta in a phrase of the most insolent and opprobrious contempt. [The phrase is also ascribed to Cromwel by Roger Coke, Vol. II, p. 31, but in general terms only.] We cannot sufficiently wonder that a writer so highly gifted as Clarendon, should condescend to disgrace his pages with a tale, likely enough to have been the invention of Buckingham, or some of his riotous companions. Cromwel was an accomplished statesman. The period of which we are treating was the most critical of his government. Resolutely he went through the painful task which his situation imposed upon him. But he did not by the smallest atom exceed what that demanded from him. Least of all, would he at such a moment have added the wantonness of insult to the ungracious proceeding in which he could not excuse himself from being engaged.

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and regulating its proceedings[a]; and Cromwel, who did not chuse any order of his to remain dead and ineffective, issued a mandate on the twenty-third of April to the commissioners of the great seal, requiring them to proceed according to the directions of this ordinance. The commissioners were Whitlocke, Widdrington and Lisle. Lenthal also, master of the rolls, was interested in the question. These four held several consultations together, and, Lisle excepted, agreed to draw up a representation of their reasons against it, and of the inconveniences which would arise in the execution of it. One of the grounds of objection Whitlocke distinctly says, was, that those who issued the ordinance had in reality no power to make a law. The order however for practising its regulations was repeated on the first of May; and in the following month, after due time had been allowed for deliberation, and the authors of the representation had declared their resolution to persist, they were ordered to deliver up the seal, which in the subsequent week was committed to the custody of Lisle and Nathaniel Fiennes. Lenthal, who had protested that he would be hanged at the Rolls' Gate rather than submit, when he saw Whitlocke and Widdrington put out of office, took the question anew into consideration, and decided to prefer the urgency of public affairs to the honours of a specu-

[a] See above, p. 42, 43.

lative consistency. Meanwhile Cromwel, "being good-natured, and somewhat grieved at the harsh measure that was dealt to the two ex-commissioners," ordered a new writ to be made out, appointing them, with Montagu and Sydenham, to be commissioners of the treasury, with a salary of one thousand pounds *per annum* to each[b].

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1655. but appointed commissioners of the treasury.

[b] Whitlocke, Apr. 23, May 1, June, July. By this arrangement, the commissioners of the treasury, which had before been seven (See above, p. 142), were reduced to four.

CHAPTER XIV.

FOREIGN POLICY OF CROMWEL.—HE IS COURTED BY FRANCE AND SPAIN.—EXPEDITION OF BLAKE.—OF VENABLES AND PENN.—THEY MISCARRY AT ST. DOMINGO.—CONQUEST OF JAMAICA.

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1654. Foreign policy of Cromwel. He is courted by France and Spain.

But the mind of Cromwel, not contented with vanquishing all the domestic difficulties that assailed his government, resolved at the same time to assert the dignity and character of England among the neighbouring nations. We have seen that, from the commencement of his protectorship, he was incessantly courted by the rival governments of France and Spain[a]. Don Alonzo de Cardenas, the ambassador of Spain, had received some personal disobligation from Charles the First, and from that time had become the inveterate enemy of him and his family. He had therefore uniformly represented to his court the parliament as too firmly seated ever to be shaken, and had assured his masters that they might count upon it as a certainty, that there would never

Character of the Spanish ambassador.

[a] See above, p. 82.

more be a Stuart on the throne of England[b]. He early became assiduous in his attentions to Cromwel, and flattered himself that he had made great progress in the good graces of him who was now the first magistrate of England. Cardenas was by habit a courtier and a politician, and was possessed of no ordinary accomplishments as a man of address.

Politics of cardinal Mazarine.

On the other hand cardinal Mazarine had been inspired with an earnest desire to obtain the good will of Cromwel. He had sent one envoy, and then another, and had proffered to send a third person of higher rank in the quality of ambassador, if desired[c]. His assiduities appear to have suffered no intermission, except for a very short period, when the assassination-plot of Gerard was depending[d]. In fact Cromwel was most advantageously situated as a sort of arbiter between these rival monarchies. He commanded the exertions of a powerful army and a formidable fleet; and his talents and character were such as to give additional authority to these resources. The emulous courtship of these two great powers was so glaring, as to have given birth at the time to a caricature, a medallion, the production of a Dutch artist, in which the Spanish ambassador was represented as approaching Cromwel in the basest

Formidable position of Cromwel.

Way in which it was considered by his contemporaries.

[b] See above, Vol. III, p. 363.

[c] See above, p. 82, 83.

[d] p. 83, 84.

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of possible attitudes, while the French ambassador plucked him by the arm, and exclaimed, "Give back, sir! that is an honour reserved for the king my master[e]."

Hesitation of Cromwel.

Cromwel appeared for a time to hesitate between the candidates. He had a powerful fleet at the end of the Dutch war; and he paid every attention to keep up its strength. It was apparent that it was never intended to lie idle; and France and Spain remained in trembling expectation against which of them it would be directed.

His prejudices against Spain.

He was not long however in making his election. His main object apparently was, by his success against foreigners to strengthen his government at home. Notwithstanding all the blandishments of Cardenas, Cromwel's prejudices against Spain were the strongest. That country was preeminently the most Catholic. It was the seat of the inquisition. The grandfather of its present sovereign had been the husband of our Bloody Queen Mary. He had also distinguished himself as the oppressor of the Netherlands. He had exercised every degree of rigour for the suppression of Protestantism and liberty in those countries. By his inveterate hostility he had made himself the founder of the republic of the United Provinces.

His temptations to hostility against that power.

But, what perhaps had greater weight in de-

[e] Granger, Biographical History; Interregnum.

termining the choice of Cromwel, Spain possessed enormous wealth in her settlements in the New World. She had not only immense mines of the precious metals in Potosi and Peru, the produce of which was brought home annually in the galleons: she had also fertile and extensive settlements in the large islands of Cuba and Hispaniola, which excited the cupidity of the English adventurers. And in these advantages Cromwel thought it not impracticable to possess himself of a share. He was convinced that few things would give him a greater degree of popularity than such an acquisition; and he believed that the wealth of India would prove an invaluable accession to the prosperity and glory of his native country. France had nothing to offer that could be put in the balance with this.

Expedition of Blake.

Without however discovering his ultimate intentions, Cromwel, while the parliament was sitting which sought to destroy his system of government, resolved to remit nothing of that activity, which, in his idea, became the executive head of a great nation and an eminent maritime state, with regard to foreign powers. He fitted out two considerable fleets, one under the command of Blake, and the other of William Penn. Blake sailed with thirty ships in October[f]: his destination was the Mediterranean, and his commission to obtain

[f] Clarendon, Vol. III, p. 577. Thurloe, Vol. II, p. 653.

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1654. He appears before Leghorn.

atonement and redress for all the injuries we had received from the different nations bordering on that sea. His first visit was to Leghorn. Here he demanded compensation from the grand duke of Tuscany for the indignities we had sustained, by his suffering prince Rupert to sell his prizes in the port of Leghorn, and by his compelling Appleton, an English commander, with a squadron of five ships, in March 1653, to leave the port, in consequence of which the squadron was destroyed by a superior force of the Dutch. The damage was laid by Blake at one hundred and fifty thousand pounds; the amount being by negociation reduced to sixty thousand, which appears to have been paid[g].

1655. before Algiers.

From Leghorn Blake sailed for Algiers, where he arrived on the tenth of March. By a message to the dey he demanded the restoration of the ships which had been captured from the English, and the liberation of the captives of our nation. The dey submissively replied, that what he demanded was private property, which he could not take from the holders without producing a rebellion; but he offered a redemption of captives at one hundred dollars *per* head, and an engagement that for the future no violence should be offered to the ships or persons of Englishmen[h].

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[g] Heath, p. 366. Ludlow, p. 507, 508.

[h] Bates, Elenchus Motuum, Part II, p. 205. Davies, Civil Wars of England, p. 349.

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Blake's next exploit was against Tunis, which place he had approached previously to his demand upon the dey of Algiers. The governor of this place did not use the moderation employed by the more considerable sovereign, but when the English admiral returned, advised him to cast his eye on his castles of Goletta and Porto Ferino, and satisfy himself whether there was any chance that Tunis would yield to his requisition. Blake irritated at the arrogance of this reply, first bombarded the castles, and reduced them to a ruin, and then burned nine ships of war that chanced to lie in the harbour [i].

From Tunis Blake sailed to Tripoli. Here he found the government, awed by what had just passed at Tunis, willing to comply with his demands. Thus this illustrious commander shortly after returned to England, having accomplished all the purposes which he had in commission, and reduced the pirates of the coast of Africa to such terms as he pleased to prescribe.

1654. Expedition of Venables and Penn.

The destination of the other fleet, which sailed about two months later than that of Blake [k], was for a considerably more important object. As this was the only military enterprise of Cromwel, in

[i] Whitlocke, June 8. Clarendon, p. 580. Heath, p. 374. Perfect Politician, p. 220, 221. Thurloe, Vol. III, p. 390. Davies, *ubi supra.*

[k] Heath, p. 365. Davies, p. 346. Thurloe, Vol. III, p. 11, 16.

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the issue of which he was disappointed, it is entitled to a deliberate and full examination.

1654. Conquests of Spain in the New World recapitulated.

Cromwel, as has already been said, had determined to assail the empire of the Spaniards in the New World. The history of the establishment of that empire is sufficiently known. Its foundation was laid in a series of the greatest atrocities and the most extensive murders, that are on record in the annals of mankind. Having by these means subjected the late populous regions of Mexico and Peru, and settled flourishing plantations in the islands of Hispaniola and Cuba, they claimed the whole of the western world as their own, and regarded all other people that approached it, as interlopers and pirates. They treated them, to the extent of their power, in the same manner as that in which they had previously treated the aborigines of the soil. Their favourite ground of claim was a cession of the pope, by which that potentate, drawing a line through the circle of the globe from east to west, had granted all that was on one side of that line to the monarchy of Spain[1].

Their claim by deed of gift from the pope.

Settlements of the English.

The other nations of Europe however did not tamely acquiesce in this arrangement. The French, the Dutch, and other nations had founded settlements in the New World. We had esta-

[1] Abrégé Chronologique de l'Histoire d'Espagne, Ans 1493, 1494. Robertson, History of America, Book II.

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1654. Hostilities of Spain.

blished colonies in Virginia, New England, the Bermudas and Barbadoes. The Spaniards meanwhile, as has already been said, made prize without scruple of every vessel they found within these latitudes; and, as many of the crews as they did not murder, they condemned as slaves for life to work in the mines. They exterminated a French and English colony from St. Kitt's in 1629 [m]. They treated in the same manner our settlements at Tortuga in 1637, and at Santa Cruz in 1650 [m].

Explanations between Cromwel and the Spanish ambassador.

Cromwel was not of a temper to endure these wide-spreading pretensions without resistance. He contemplated no doubt the vast riches of America with vehement desire, both for himself and his country. He resolved to humble the pride of Spain and to chastise her aggressions. He did not proceed however without previous representations and negociation. He found Cardenas, the Spanish ambassador, profuse in the expressions of kindness and good will. He was the first, in the name of his master, to congratulate Cromwel upon his accession to power, and even to promise that, if he would go a step further, and mount the throne, the Spanish sovereign would venture his own crown to defend him in it [n]. But, when Cromwel proceeded to parti-

[m] Bryan Edwards, History of the West Indies, Vol. I, p. 141, 142, 143.

[n] Thurloe, Vol. I, p. 759, *et seqq.*

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culars, and demanded that the navigation of the English in the Atlantic should be uninterrupted, and that the English merchants settled in Spain should be allowed the free use of the Bible unmolested by the inquisition, Cardenas replied, that the inquisition, and the monopoly of trade to the West Indies, were his master's two eyes, and that it could not be expected that he should give his consent to the putting them out[o].

Cromwel's policy defended.

Modern historians have blamed the protector, that he did not see the weakness of Spain, anticipate the future glories of France under Louis the Fourteenth, and unite himself with the weaker party. It would however have been too great a refinement, to fight against what did not exist, and might never exist, and to refuse a share in the wealth of America, which seemed to offer itself to his grasp. If the policy they recommend would even have been preferable in a long established and deeply rooted government, it might nevertheless be pronounced extravagant for Cromwel, who was called on to do his best to strengthen an infant empire. These historians have also affirmed the war he entered on to be an unprovoked assault upon a near ally. But surely the conduct uniformly pursued by Spain in the West Indies was nothing less than a declaration of eternal war. And Cromwel did not enter on hosti-

[o] Thurloe, Vol. I, p. 760, 761.

lities, till he had first been in the most pointed manner refused the satisfaction he demanded.

1654. Character of those who commanded the expedition.

The commanders Cromwel chose for his enterprise were general Robert Venables and admiral William Penn. Venables was the confidential friend of the protector, and had served under him with credit in the wars of Ireland. Penn was an approved commander, had from his youth been addicted to maritime affairs, and had distinguished himself honourably in the conflicts of the Dutch war. Yet in both of them was Cromwel deceived. It is true, that Penn was an anabaptist, and secretly wished the destruction of the rule of him from whom he received his commission [n].

Their instructions.

The instructions of Venables were to land in Hispaniola, or Porto Rico. If there were found to be no considerable place in the south of the former but St Domingo, and that not much fortified, he was told that it might probably with no great exertion be taken possession of, and then the whole island reduced to obedience. From thence he was ordered to proceed to Cuba, and

[n] Thurloe, Vol. III, p. 251, 507. It has been idly pretended that Penn and Venables were both of them royalists, that they accepted their appointments with a view to effect the king's restoration, and that Cromwel sent the troops out of the way, for no other purpose than that they might be destroyed. Clarendon, p. 576. Hume. All this seems to be built upon the driveling of the reverend Dr. John Barwick, an infatuated royalist. See his Life, written by his brother, a physician. Penn was father to the celebrated quaker of that name.

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1654. particularly against the Havannah. Another plan was mentioned, of sailing against Porto Bello, aiming principally at Carthagena, which place being reduced, we should immediately become masters of the treasure annually exported from Peru by way of Panama, and thence brought home to Spain by way of the Atlantic[o].

Their equipment. The force with which all this was to be accomplished was, first, a fleet of thirty ships under Penn, and next a land-army of four thousand foot and two troops of horse, some of them royalists[p], but reinforced to the amount of two regiments

1655. with Cromwel's veteran soldiers[q]. They sailed in December, and reached Barbadoes on the twenty-ninth of January[r]. Here the commanders were first allowed to open their instructions. They

Precautions of Cromwel. found every thing, by Cromwel's foresight, in appearance admirably prepared for their reception. He had sent forward two frigates, with several shallops in frame, and orders to raise as many volunteers as possible to reinforce the expedi-

Reinforced from Barbadoes. tion[s]. The planters were hostile to an undertaking, the direct tendency of which was to take from them their most efficient labourers[t]. Mean-

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[o] Burchet, Naval History of England, p. 385 to 389.

[p] Clarendon, Vol. III, p. 576. Perfect Politician, p. 212.

[q] Long, History of Jamaica, Vol. I, p. 223.

[r] Thurloe, Vol. III, p. 157, 249.

[s] Clarendon, Vol. III, p. 578.

[t] Thurloe, p. 157, 158, 159.

while the slaves, royalists and others who had been sent thither into banishment, drawn by the promising offers that were made them, enlisted in multitudes. Venables formed from the most eligible of these a regiment of marines, to serve either by sea or land as there should be occasion. The planters raised a gallant troop of horse at their own cost. Penn seized about twenty Dutch vessels, that he found trading there in spite of the prohibition[u]. In fine the enterprise sailed on the last day of March, with about sixty sail of vessels, and nine thousand soldiers[x]. They took in twelve hundred more from St Kitt's where the English and French had once more returned to their settlements, and from other neighbouring islands[y].

and St Kitt's.

The first misfortune of this armament was, that they found themselves obliged to leave Barbadoes without the further stores that had been promised them from England, but which did not arrive[z]. This occasioned first many hardships, particularly to the land forces, and next injurious misunderstandings and disputes between the general and the admiral. The whole force however reached St Domingo in safety on the fourteenth of April[a]; They reach St Domingo.

They are in want of provisions.

[u] Perfect Politician, p. 213, 214. Heath, p. 369. Davies, p. 346.

[x] Thurloe, p. 505. Clarendon, 578.

[y] Thurloe, p. 754. Clarendon, Perfect Politician, Heath, Davies, *ubi supra*.

[z] Thurloe, p. 142, 249, 505, 650.

[a] Carte, Original Letters, Vol. II, p. 48. Thurloe, p. 510.

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and it seems certain that, if the enterprise had been conducted with any degree of judgment, the town would have been gained without a contest[b]. The first question that arose was as to the point at which they should land; and here Penn and Venables mutually recriminate on each other, as to the wrong choice that was made[c]. The armament was also attended with commissioners, as had been the uniform practice in the whole wars of the parliament; and, Winslow, the chief commissioner, having died early in the following month, it was found convenient to throw much of the blame of what was wrong upon him. The landing was finally effected at a point of land forty miles distant from the town to the west, at the same time that a detachment of two half-regiments was ordered to a nearer landing-place to the east[d]. This detachment however finally took land to the west also, but within ten miles of the place[e].

Their landing.

A mutiny breaks out.

The general and the admiral certainly discovered no great degree of ability in the course of the enterprise. The army, as we have seen, was composed in a great degree of raw and irregular recruits; and the reinforcements they had collected in the West Indies, were allured in a great degree by the hopes of plunder. Winslow, re-

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[b] Thurloe, p. 505.
[c] Long, Vol. I, p. 225.
[d] Thurloe, p. 505, 755.
[e] Ibid, Vol. IV, p. 28.

gardless of this circumstance, issued a proclamation at the very instant of their landing, forbidding pillage upon pain of death. On hearing this, a great part of the force immediately laid down their arms, but by Venables' caresses and intreaties were prevailed upon to resume them[f].

And is appeased.

If the force had been landed immediately at the approach of the town, the place would have been carried without the least resistance[g]. But a march of forty miles, under a burning sun, without provisions, and without water, was almost certain destruction. The men fed on unripe oranges and other fruits, and were seized with fluxes[h]. Many died; and those that survived had not the courage and firmness of men. At length the general, after three days' march, joined Buller, who led the party which had been destined to the nearest landing-place, but almost immediately after fell into an ambuscade. Here he lost many of his men, but finally routed the assailants, and would have entered the town. The men however were greatly reduced with fatigue and sickness; and a retreat became necessary to the position formerly occupied by the detachment, ten miles distant[i]. This action took place on the eighteenth; and the army did not advance again

Their calamitous march.

The first engagement.

They retreat.

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[f] Thurloe, p. 505. Long, p. 226.

[g] Thurloe, p. 505.

[h] Ibid, p. 510. Carte, p. 49.

[i] Thurloe, p. 506. Long, p. 227.

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The second engagement.

till the twenty-fifth. They then marched, but fell into a second ambuscade, in a defile, where only four or five men could march abreast. The scene here was disastrous and bloody; the forlorn fell back on the horse, and the horse on Venables' own regiment. The army was only saved by the judicious manœuvre of major-general Heane, the second in command, who, drawing part of his regiment along the outside of the wood in which the English were inclosed, counterflanked the enemy, but himself and several of his best officers perished in the action[k]. It was now determined, that it would be a hopeless undertaking to engage in further hostilities in Hispaniola[l].

Are overwhelmed with confusion.

The failure of the enterprise tended in some degree to extinguish the animosity between the commanders by land and sea. They both felt that they could never return to England, only to render an account of what they had already done. The design meditated by Cromwel had been vast; the preparations extensive; and all that had been attempted had hitherto been attended only with dishonour and disgrace. Thus circumstanced, they could never again face such a master. The influential part of the people of England, by the civil war, and by the republican speculations that had now for some years been afloat among them, had been raised to a certain elevation of character;

[k] Thurloe, p. 506.

[l] Ibid, 507, 510. Vol. IV, p. 28.

and it may be easily imagined how they would receive a general and an admiral returning from such an expedition. They held a council together; and the result was to determine that they should proceed against the island of Jamaica[m].

Causes of the miscarriage.

Many things contributed to the inglorious issue of this expedition. One of the persons engaged in it affirms that, in this last action, three hundred Spaniards defeated an army of nine thousand English, who thought themselves too happy to retreat to the spot from which they had marched in the morning[n]. Venables certainly displayed a great want of the talents necessary for such an undertaking. Add to this, the misunderstandings and heart-burnings among the principal officers. It is also agreed on all hands, that, from whatever cause, they were very inadequately supplied with the arms and provisions that should conduce to their success. They were therefore driven to great distress from want of water, and from unwholsome food. And their general was little qualified to turn to the best account the force, reduced in numbers and strength, that was still under his command.

Conquest of Jamaica.

They embarked from Hispaniola on the third of May, and arrived at Jamaica on the tenth[o]. The people of this latter island had heard nothing of hostilities; they derived no encouragement

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[m] Ibid. [n] Thurloe, Vol. III, p. 565. [o] Ibid, p. 507.

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from the failure of our first enterprise. They fled, as the people of St Domingo had done, from their town at the first appearance of an enemy. They are supposed at first to have regarded the undertaking as a mere predatory enterprise, and to have retired, with the intention of returning to their abodes when the storm should have passed away[p]. The landing-place was only five miles from the town; and the general feeling of the military was to march forward immediately, and take advantage of the unpreparedness of the Spaniard. But Venables forbade this; and the next morning when the army entered, they found neither man, woman nor child. The enemy improved the interval that was given them, to remove all their most valuable property to the mountains. A negociation immediately commenced; but a great part of what had been taken away was never recovered[q].

Advantages that accrue from it.

One of the most intelligent of the officers engaged in the expedition, does not hesitate to aver, that the issue of the enterprise was the most fortunate that could have occurred. Hispaniola, he says, being a country much larger than the entire of England, could never have been permanently settled by the ten thousand men that were sent against it. It was full of mountains and wood, so that the enemy could always cover themselves

[p] Thurloe, p. 507.

[q] Ibid, p. 646.

with the natural advantages of the island, and could never be reduced. At the same time Cuba, and even the Spanish main, would be ever at hand, to assist their efforts, and restore them to the ascendancy they might temporarily have lost. While Jamaica, being only one fourth of the dimensions of Hispaniola, might be securely occupied. The English there would feel themselves in safety, and would have every advantage for assailing the enemy, and annoying their trade. The subject of regret was, that the army and fleet had not immediately proceeded for Jamaica, instead of encountering the loss and disgrace they had sustained at Hispaniola[r].—Be this however as it will, certain it is, that the principle of the expedition in the mind of Cromwel was very different from that which is here expressed. He had anticipated vast conquests, and the dividing with Spain the whole empire of South America; and to him the disappointment was therefore

1655.

[r] Thurloe, p. 507. The later accounts of this expedition have been for the most part drawn from Burchet's Naval History of England, whose narrative on this head is founded upon the examinations of Penn and Venables after their return, thus treating the statements of the delinquents themselves as the sources of genuine history. Venables aimed to retort on Desborough, the kinsman of Cromwel, to whom the care of the ammunition and provisions for the army was committed, as if that officer, out of a spirit of peculation, had diverted the stores, and defrauded the adventurers of their subsistence, and the aids necessary to their success.

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intolerable. Whether the projects he had conceived were capable or incapable of being carried in execution, is a point of no small importance in estimating his true character.

The commanders return home, and are imprisoned.

The commanders, as soon as they had escaped the disasters and ignominy of their enterprise on St Domingo, broke out into new misunderstandings. Penn, that he might have the advantage of being the first to tell his tale in England, delivered over part of his fleet to his second in command, and took his departure on the twenty-fifth of June. He arrived at Spithead on the last day of August[s]. Venables, stimulated by similar motives, and whose constitution was much shattered by the hardships of the expedition, was only nine days after him[t]. Cromwel ordered them both immediately to the Tower, assigning as his reason their having quitted their conquest without leave, and when their presence there was most urgently necessary[u].

Censure to which Cromwel is liable on this occasion.

The history of this enterprise by no means affords a favourable specimen of the government of Cromwel. He exerted a wonderful activity in fitting out this expedition and the adventure of Blake. He took care that every thing should be in readiness for them on their arrival at Barbadoes, so that with the smallest practicable delay

[s] Thurloe, p. 752, 753; Vol. IV, p. 1.

[t] Ibid, Vol. IV, p. 21, 22.

[u] Ibid, p. 55.

they were enabled to double the numbers intended to complete their conquest. Nevertheless the failure of the expedition is in the first place to be imputed to Cromwel. The force employed by him was probably sufficiently numerous to effect all that he purposed. But the materials of which that force was composed were in a great degree of the worst sort. And it is beyond measure surprising, that he committed the charge of this great enterprise to such men as Penn and Venables proved themselves to be. It is a poor excuse for the first magistrate to say that they deceived his expectation. This is the distinction between a great statesman and an inefficient one. The great statesman is not deceived. He sees events in their causes. He looks into "the seeds of time, and knows which grain will grow, and which will not[x]." He discerns the character of the man in the school-boy, and foresees, if such an individual is put into such a situation, how he will conduct himself. In almost all other cases Cromwel shewed that he possessed this kind of sagacity in a superlative degree. But in this instance he paid the debt which the best of us owe to human frailty.

[x] Macbeth, Act I.

CHAPTER XV.

PERSECUTION OF THE PROTESTANTS IN PIEDMONT. —MILITARY QUARTERED UPON THEM.—HOSTILITIES COMMENCED. — CRUELTIES PERPETRATED ON THE REFORMED.—SENTIMENTS OF CROMWEL ON THE OCCASION.—EMBASSY OF MORLAND.—SPAIN OFFERS TO PUT CROMWEL IN POSSESSION OF CALAIS.—COURTSHIP AND MENACES OF FRANCE.—SIX FRENCH REGIMENTS ADVANCE INTO PIEDMONT.—NEGOCIATION OF PINEROLO.—TREATY BETWEEN FRANCE AND ENGLAND.—WAR DECLARED AGAINST SPAIN.

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1655. Persecution of the Protestants of Piedmont.

A CIRCUMSTANCE early in the present year, which, by calling forth the sympathies of Cromwel, led to a display of his ascendancy in Europe, was the intolerant proceeding of the duke of Savoy against his Protestant subjects. His mother, the daughter of Henry the Fourth of France, and sister of Louis the Thirteenth, is represented as the author of the measure. The victims of the proceeding were the Waldenses, or people of the vallies of Piedmont, who were on all occasions regarded with partiality

by the Protestants of Europe, as having entertained the principles of the Reformed Religion before Luther, and being asserted by some never at any time to have bowed the neck to the Roman Catholic superstition.

1655.

1654. Commencement of the disturbances.

They are represented by the Catholic writers as having been the aggressors. The priest of Fenile was found murdered in his house; and they are said, on Christmas-day 1654, to have made a procession with an ass, accompanied with drums, trumpets and fifes, in ridicule of the procession of the host[a]. In retaliation for these offences the duke of Savoy published an edict on the twenty-fifth of January, requiring a part of this people, regardless of the inclemency of the season, to quit their places of residence within three days, unless they would instantly profess their adherence to the Roman Catholic faith. The Protestants of Piedmont were the natives of three vallies, Lucerna, Perosa and St Martin; and the southernmost of these was Lucerna. Through the middle of this valley runs the river Pelice; and it was the inhabitants to the south of this river that were ordered into exile, together with the population of St John and la Torre on the northern bank[b]. The Catholic

1655. Edict of the duke of Savoy against the Reformed.

Vallies inhabited by them.

Proscription of a part of these inhabitants.

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[a] Moreri; art. Charles Emanuel II.

[b] Morland, History of Evangelical Churches in Piedmont. Leger, Histoire des Eglises Vaudoises.

BOOK IV. 1655.

and Protestant inhabitants of this vicinity were already inflamed against each other; and the effect of such an edict must necessarily have been to exasperate their hostile impressions, the one with the feeling of triumph, the other of bitter and unmerited suffering. The Protestants petitioned their sovereign, and reclaimed the protection which had been yielded to them by his predecessors, but obtained no answer. They appear to have retired from the southern bank of the Pelice, but to have lingered in the districts of St John and la Torre. But it was not merely the immediate sufferers from this edict that laboured with the poignancy of resentment; their brethren of the other two vallies participated in the sentiment. The duke of Savoy had awakened in all his Protestant subjects an abhorrence of his injustice. Exactly by what tokens they betrayed the feeling deeply fixed in their bosoms, it is perhaps difficult to ascertain. But he saw enough of what was going on among them to determine him, to order a corps of his army to take up their quarters among the people of the vallies about the middle of April.

Emigration.

Resentment of the Protestant population.

Military quartered upon them.

Hostilities commenced.

No measure could be more pregnant with disastrous consequences, than that which was thus adopted. In some places the population at once left the towns, carrying with them all their provisions and means, and left the soldiers to subsist as they could. This immediately led to the most

offensive proceedings on the part of the new comers. The Piedmontese, though emulating the patience and long-suffering of their divine master, were not entirely insensible of wrongs. They attacked their invaders, and in some instances had the advantage of them. The soldiers of the prince however, armed at all points, and under military subordination, gained the final superiority.

The military gain the ascendancy.

What followed on this was a scene in the highest degree revolting to humanity. The soldiers were exasperated at the attacks of an undisciplined multitude, and felt the pious hatred which was natural in the adherents of the Catholic faith, against a herd of heretical reprobates. The twenty-first of April is the day upon record, on which these enormities broke out in the most criminal excess. The attestations include almost every species of horror most revolting to human nature. It is some consolation to observe that the murders do not amount to more than about three hundred, and were confined to the valley of Lucerna, not extending to the other two. We shall however be guilty of great injustice, if we do not represent to ourselves the general consternation attendant on such a scene. The murdered were of all ages, from fourscore down to the cradle. Pregnant women, parents with their whole families, were victims of the barbarians. They hunted their prey among the rocks, and hurled them

Cruelties perpetrated by them.

BOOK IV. 1655.

down from the summits. They burned churches and houses, with all that they happened to contain. They inflicted wounds and death with the most loathsome and revolting circumstances. They violated the persons of those they slew, and fed upon their bodies. It is also to be remembered, that the only peculiarity that marked out the sufferers, was their creed, a heritage handed down to them for generations, upon which they prided themselves above all that the world could give, and which they would have consented to suffer a thousand deaths rather than renounce. The survivors, and the inhabitants of the other vallies, knew that the victims fell for that which was common to them all, and considered themselves merely as reserved to be made the latest sacrifices [c].

Sentiments of Cromwel on the occasion.

The account of these things did not reach England till about a month after. Cromwel was deeply affected with the intelligence. He had at all times been an enthusiast in religion. His hatred of popery and prelacy made him a confirmed Protestant. He regarded the worship of the host, the bowing at the name of Jesus, and

[c] In Morland and Leger the brutalities inflicted are minutely represented in copper-plates. It is worthy of remark, that Moreri, who undertakes to refute these details, does it merely by saying, that only two of the Piedmontese revolters fell by the hands of the executioner.

the multiplied ceremonies and formalities of a prelatical establishment, as nothing less than idolatry, and rather calculated to awaken the displeasure of the divine being, than to conciliate his favour. The present affair also struck upon another chord to which his heart always vibrated, liberty of conscience, the principle, as he expressed it on the present occasion, that God "*conscientiæ jus inviolabile ac potestatem penes se unum esse voluit*" [regarded the rights of conscience, and the authority over it, as belonging to himself alone]. Cromwel therefore immediately declared that "the calamities of the poor people of the Piedmontese vallies lay as near, or rather nearer to his heart, than if it had concerned the dearest relations he had in the world[d]." He fixed upon Morland, under-secretary to Thurloe, and ordered him to prepare to set out on a mission to Turin. 1655.

Letters of State written by Milton in favour of the Piedmontese.

At the same time he sent to Milton, to come to him, and receive instructions respecting the letters it might be proper to address to different potentates on the subject. He knew that Milton was a secretary singularly qualified to do justice to the sentiments with which he was himself impressed. No man was more fervently animated with religion, nor more devoted to the cause of liberty, particularly liberty of conscience. Six letters have

[d] Morland, p. 552.

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come down to us, to the duke of Savoy, the kings of France, Sweden and Denmark, the States General, and the Protestant cantons of Switzerland, on the subject, all dated on the same day, the twenty-fifth of May. They are models of simplicity, of classical purity, and of plain and unaffected pathos[e].

Overtures of France and Spain to the protector.

Cromwel felt that the most effectual way for accomplishing the object he had at heart was through the intervention of the court of France. France and Spain had for some time been assiduously courting his favour, and trying which should outbid the other[f]. In the beginning of the present year the marquis of Leyda, governor of Dunkirk, had been commissioned by the court of Madrid, to pay a visit to England[g]; and he and Cardenas had joined in a memorial, dated the eleventh of May,

Spain offers the restoration of Calais.

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[e] It is singular that these letters contain no allusion to the tremendous cruelties, so amply exhibited by Leger and Morland. They simply speak of multitudes of every sex and age, sent into exile, and being without home or harbour amidst the severities of winter. Perhaps the account of the more atrocious and inhuman proceedings was not yet transmitted to England. They are spoken of by Milton in his sonnet on the "Late Massacre in Piedmont." Some of the most odious circumstances are also mentioned in Morland's speech at his first audience of the duke of Savoy. The duchess dowager in her reply expresses herself much surprised, that "the fatherlike and tender chastisements that had been inflicted on the offenders, should be clothed with so black and ugly a character." Morland, p. 575.

[f] See above, p. 184, 185, 186.

[g] Thurloe, Vol. III, p. 62.

in which they offered in the name of his Catholic majesty to join his forces by sea and land with the protector for the purpose of recovering Calais to the English dominions, upon condition that Cromwel in return would assist the prince of Condé in landing at Bordeaux, and so causing a diversion of the French forces at this time engaged against Spain in the Netherlands[h]. Mazarine in the mean time had held such language towards the exiled family, as to oblige Charles the Second to quit the French dominions, and take up his residence first at Spa on the last day of June in the preceding year; and afterwards at Cologne[i]; thus shewing, by way of anticipation, at what price he was willing to buy the friendship of Cromwel. The protector had for some time determined his choice: he had equipped an expedition against Spanish America, and had resolved on an alliance with France. Mazarine had held out a suggestion, that he could assist the Stuarts with an army of Huguenots[k]: Spain had no similar means of injuring the protector. Yet Cromwel had a secret pleasure in gratifying the pride and independence of his nature, by deferring the peace with France on various pretences, and caus-

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Courtship and menaces of France.

[h] Dumont, Corps Universel Diplomatique, Tom. VI, Pt. II, p. 106, 107. Collection of Treatises, 1732, Vol. III, p. 146 to 149.

[i] Thurloe, Vol. II, p. 448. See above, p. 166.

[k] Burnet, Own Time, Book I.

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ing them more and more to truckle to his caprice.

1655.

Six French regiments advance into Piedmont.

Now a weighty obstacle interposed itself. He no sooner heard of the atrocities perpetrated in Piedmont, than he resolved never to have peace with France, till they had been fully atoned for. It had happened at that period, from whatever cause, that a French army, marching into Italy, had passed near the borders of Piedmont just at the critical moment of the struggle between the duke of Savoy and his Protestant subjects; and, the regency of Savoy having applied to the commander for aid, the object apparently being to quarter troops in the vallies, for the purpose of checking the unquietness of the inhabitants, six regiments had been lent to that end [l]. When Cromwel's remonstrances were delivered at the French court, Louis willingly apologised for the improper interference of his troops, but alleged for the rest, that the duke of Savoy was a sovereign prince, whom France might intreat to refrain from injustice to his subjects, but over whom he could exercise no command [m]. Cromwel would not listen however to this distinction; he said, that he well knew the government of Savoy would not venture to disobey the peremptory mandate of the court of France; and added that the redress of the evils

Equivocal professions of the French court.

Peremptory answer of Cromwel.

[l] Morland, p. 330. Thurloe, Vol. III, p. 586.

[m] Thurloe, p. 536, 617.

committed in Piedmont would be the *sine qua non* of his treaty with Louis [n]. CHAP. XV.

Morland arrived at Rivoli, the residence of the duke of Savoy on the twenty-first of June, and continued there and at Turin till the nineteenth of the following month. He was received with every mark of distinction; but the object of his mission was not completed, when, agreeably to his instructions, which limited to a certain number of days his residence at the court of Savoy, he withdrew from Turin to Geneva. Cromwel was earnestly bent on obtaining the utmost atonement for the Protestants of the vallies. He therefore appointed a more solemn embassy, consisting of Downing, a courtier in whom he appears to have reposed great confidence, Morland, and Pell, the English resident at Zurich, and prevailed upon the states general to add a negociator on their part. But the French government resolved to take to itself the whole merit of the affair. They were also of opinion that in that way they could give more palatable terms to the duke of Savoy, than could be obtained from the assembled negociators. Servien therefore, the French ambassador at Turin, effected a composition between the parties on the eighth of August at Pinerolo, before the arrival of the English and Dutch commissioners [o]. The duke of Savoy by this means was indulged in the

1655. Reception of Morland.

Pacification of Pinerolo.

[n] Burnet, *ubi supra.*

[o] Morland, p. 641.

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instrument of pacification, in speaking of himself as a prince who in his great bounty extended his forgiveness to offending and rebellious subjects[o]; and in one or two other particulars the terms were not made so liberal, as undoubtedly would have been the case, if the peace had been concluded under the eye of the allied powers.

Conclusion of the affair.

Cromwel certainly added new dignity and weight to his character in the eyes of Europe by the promptness and decision of his interference in this affair. Nor was his liberality less conspicuous in the pecuniary aid he sent to the sufferers, and the collections he caused to be made in the different parts and churches of England for their relief. But he was to a certain degree overreached in the business, by the wily and intriguing character of Mazarine. He did not however desist from further exertions, and caused Lockhart, his ambassador at the court of France, to persist in his demands that the reparation to the reformed might be made perfect, and their restoration complete[p].

Treaty between France and England.

The treaty between France and England was

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[o] Morland, p. 653.

[p] Dr. Henry Sampson, once an ejected minister, afterwards a physician, says in his Diary, "The letters of Thurloe were in one instance so pressing, that, coming in the night, Lockhart went, without losing a moment, both to the cardinal and the queen, who called a cabinet council, and forthwith revoked the orders which had previously been dispatched." Sloane MSS, No. 4460, p. 41.

not completed till the twenty-fourth of October[q]. Cromwel insisted on every punctilio; and Mazarine found himself obliged to comply. Cromwel demanded that Louis should be styled in the treaty king of the French, and not king of France. It was replied, that the former phrase had been employed for a century or two last past, in compliance with the pretentions of the kings of England who also denominated themselves kings of France, but that, the protector having omitted any such claim in his titles, there could be no reason for adhering to that form in the present treaty. But Cromwel refused to desist[r]. He also demanded one hundred and twenty-five thousand pounds as a compensation for the injuries our trade had sustained from the aggressions of the French; but, this not being acceded to, the question was referred to commissioners, and finally to the arbitration of the senate of Hamburgh[s]. It was agreed, that

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[q] Dumont, Corps Universel Diplomatique, Tom. VI, Pt. II, No. 40.

[r] St Priest, Histoire des Traités, Tom. I, p. 273, 274. Copies or summaries of this treaty are to be found in Leonard, Recueil des Traités, and in Collections of Treaties, 8vo, 1732, and 1785, in the former in French, in the two latter in English. In these Louis XIV is styled "*Roi de France*," "King of France," without the smallest notice of the above circumstance. In Dumont the treaty is given in Latin, with the title, *Rex Gallorum*, and the remark that it was in this language that England had been accustomed to treat with France.

[s] Dumont, *ubi supra*.

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Dunkirk should be conquered from the Spaniard, and given to the English[t]: and twenty names were annexed to the treaty, of persons that should not be permitted to remain in France, among which were Charles the Second, the duke of York, Ormond, Hyde, Massey and Middleton[u]. A further particular, in which Cromwel shewed himself tenacious of what he conceived due to him, and in which France found herself obliged to comply with his requisition, was that Louis the Fourteenth was compelled to address him in his letters, in the style customary between sovereigns, "my brother[v]."

Sir William Lockhart.

The peace was no sooner concluded, than Lockhart was commissioned as our ambassador to the court of France, one of the ablest ministers that was ever employed from one sovereign to another; and the choice of whom may reasonably be considered as arising solely from the sagacity and penetration of Cromwel. His commission bore

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[t] St Priest, *ubi supra*. Dunkirk is not named in the treaty.

[u] Dumont, *ubi supra*.

[v] I can at present give no higher authority for this circumstance than Voltaire, in his Siecle de Louis Quatorze, ch. VI. It should be observed however, that Voltaire, from the situation he occupied among princes and men of rank, was a qualified judge of the value annexed to these compliments, and that, in a book written expressly to commemorate the glories of the *Grand Monarque* and of France, he was little likely to have inserted such a statement without full assurance of its truth.

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date the thirtieth of December[w]: but he did not proceed on his embassy till the April following[x].

1655. War declared against Spain.

Spain in the mean time, deeply exasperated by the hostilities of the English in the West Indies, had placed an embargo upon all effects belonging to the people of this country that were to be found in Spain, on the first of September[y]. This Cromwel regarded as nothing less than a declaration of hostilities; though probably the Spanish government would still willingly have accepted overtures of explanation and concord, as Cardenas continued to remain at his post as ambassador. He however finally quitted this country on the twenty-second of the following month; and on the day following a declaration was published in London, setting forth the justice of the cause of the commonwealth against that monarchy[z].

Oct. 22.

Oct. 23.

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[w] Noble, House of Cromwel, Vol. II.

[x] Thurloe, Vol. IV, p. 739.

[y] Ibid, p. 21.

[z] Ibid, p. 100, 117. This declaration was reprinted, accompanied with a translation, in 1738, for the purpose of inflaming the people of England to a war with Spain, and is affirmed by the editor to be the production of Milton: it has since been admitted into the editions of Milton's Prose Works. It is observed of it by Birch, "This piece is rightly adjudged to our author, both on account of the peculiar elegance of the style, and because it was his province to write such things as Latin secretary."

But the justice of this statement may be doubted. First, as to

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1655. Reflections.

We shall have a juster conception of the prodigious capacity of Cromwel, if we recollect that the various measures treated of in the four preceding Chapters were nearly all of them commenced, either before, or within three months after the dissolution of that parliament, whose purpose was

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the style and composition they are certainly remarkably perspicuous; but it may be doubted whether Milton would have admitted such a phrase as, "*In illo tamen Hispaniæ regis embargo.*" There is also considerable subtlety and closeness of logical deduction in this paper; and so far it savours of Milton: but it wants something of Milton's fervour and dignity. It may be suspected that, when the writer came to speak of the enormities perpetrated by the Spaniards at their first establishment in the New World, he would, if it had been Milton, have given a greater loose to the indignation of a virtuous and generous mind.

We must also recollect the care with which Milton published or preserved all his genuine writings. One of the latest of his publications is, *Joannis Miltonii Angli Epistolarum Familiarium Liber Unus*, in 1674, the year of his death; and, in the Bookseller's Address to the Reader prefixed to this volume, he says: "*Facta spes erat aliquamdiu, lector benevole, fore ut hujus authoris Epistolæ, cum Publicæ tum Familiares, uno volumine excudendæ mihi permitterentur. Verum de Publicis, postquam eos per quos solos licebat, certas ob causas id nolle cognovi, concessa parte contentus, Familiares tantum in lucem emittere satis habui.*" A surreptitious copy of the Public Letters was printed in 1676; but a copy has since been discovered in the same chest or case with Milton's treatise, *De Doctrina Christiana*, accompanied with a printed Latin Advertisement. It seems therefore that these Letters of State have the express sanction of the author, and are to be admitted as his genuine productions: at the same time that there arises a presumption against any State Paper not in this collection, that it was written by some other person.

The remark of Birch, that the Declaration against Spain is

essentially to fetter and abridge, if not to annihilate, his authority as chief magistrate. With what energy must that mind have been gifted, which, at so perilous a crisis, entered on such a multiplicity of plans, as scarcely any other sovereign would have ventured on under the most auspicious circumstances, and at a period of the greatest tranquillity! He parted with the parlia- 1655.

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further to be considered as Milton's, "because it was his province to write such things as Latin Secretary," is also liable to considerable exception. On the third of February 1654, a few weeks after Cromwel's accession to the protectorate, Philip Meadows was expressly appointed Latin secretary to the council, with a salary of two hundred pounds *per annum*; and Milton's name occurs in the same memorandum, but with a blank after it, thus specifying no particular appointment. (See above, p. 30.) This was probably owing to his blindness. Weckerlin, his predecessor in office, had been appointed assistant Latin secretary, on the eleventh of March 1652, with the same salary as Meadows (Order Book); and, on the death of Weckerlin, Milton, in a letter to Bradshaw, 21 February 1653, (Todd, Life of Milton, 1826, p. 163, 164,) recommended Marvel to succeed him, "if the council shall think that I need any assistant." But this recommendation seems to have produced no effect. Meadows was now (February 1654) expressly appointed to Milton's office. Milton however continued to be employed occasionally. On the seventeenth of April in the present year certain reductions of salary appear to have taken place: Walter Frost, treasurer of the council's contingencies, was reduced from four to three hundred pounds *per annum*; and Milton's salary, which, from the third of February 1654, had been £288. 18. 6 *per annum* (at the rate of 15s. 10½d. *per diem*) was now fixed at £150 *per annum*, and that to be paid him during his life, partaking therefore in some degree of the nature of a retiring pension (Order Book).

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ment, without one law having been made during their whole session, without one tax having been passed to defray the expences of the government. His power seemed to hang by a thread. His authority plainly rested upon nothing but that instrument, the Government of the Commonwealth, which had been voted by a council of officers. The lawyers, and the community were prepared to dispute the legality of his proceedings at every step. He was indeed captain general of an army, numerous and well disciplined; but that army was divided within itself, consisting, perhaps in equal parts, of his supporters and his adversaries. He derived the strength of his authority purely from the character he had acquired by his actions, and from the personal qualities by which he was enabled to assert and to maintain the station he had seized.

CHAPTER XVI.

INSTITUTION OF MAJOR-GENERALS. — FALSE ALARM.—NUMEROUS ARRESTS OF ROYALISTS. —SUPPRESSION OF PUBLIC JOURNALS.—DECIMATION, OR ASSESSMENT OF ONE TENTH, ON THE INCOME OF THE DISAFFECTED.—NEW ORGANISATION OF MILITIA.—INSTRUCTIONS TO THE MAJOR-GENERALS.—MANIFESTO OF THE PROTECTOR. — SUCCESS OF THE MEASURE.—CLEVELAND AND JEREMY TAYLOR IMPRISONED.

1655.

THE next measure we have to record is much less creditable to Cromwel, than any of those that preceded from his accession to the protectorate. It appears to have originated in the question of revenue. He had no proper and legitimate means of imposing taxes on the nation; and it would have been dangerous, in a country where the questions of law and justice had so long held a paramount authority, to have attempted any thing in that nature, beyond the mere continuance of the burthens already existing.

Institution of major-generals. It originates in the question of revenue.

Cromwel in his personal habits was the most inexpensive sovereign that ever sat on the English throne. But his ideas as to public affairs were

Necessity of supplies.

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miscellaneous and vast. He could not keep up a large army and a formidable navy; he could not enter into confederacies with some foreign powers, and awe others into compliance, and make conquests in the West Indies, without great expence, and an abundant treasury. He had resolved to make the name of an Englishman as much respected and formidable as ever that of a Roman had been [a].

Determination to throw the burthen on the royalists.

In this emergency the idea occurred to him that he would make the English royalists defray the expence, which their disaffection had originally caused, and that, as those who resisted the encroachments of despotism had at first almost exclusively borne the disbursements of the war in the sacred cause of liberty, so the royalists might now be brought at least equally to meet the demands of the national treasury.

False alarm.

As the idea was critical and daring, so the first step that Cromwel took towards the carrying it into execution was unjustifiable and crooked. Previously to the entering on the execution of his project, he determined to excite a false alarm.

Insurrection in the beginning of the year defeated.

In the spring of the present year a formidable insurrection had been organised against his government; preliminary steps had been entered upon in almost every part of England; and the king had taken up his abode at Middleburg in

[a] Burnet, Own Time, Book I.

Holland, that he might be ready to set his foot in the country, the moment a sufficiently favourable opportunity should occur for asserting his claims, and raising his standard. That project had been overturned by the defeat of Penruddock, and the other inauspicious events of the month of March [b]. The royalists lost for the present all enterprise and courage, and seemed to think they could do nothing better than submit to their present fortune, and wait till a new combination of circumstances should open to them a better prospect of success.

Numerous arrests of royalists.

In this period of repose Cromwel and his council suddenly issued orders for an extensive arrest of persons who were known to be favourable to the cause of the exiled king. The first persons apprehended were the earl of Newport, lord Willoughby of Parham, brother-in-law of Whitlocke, and Jeffrey Palmer, one of the most eminent of the royalist lawyers residing in England. They were committed to the Tower. The earl of Lindsey and lord Lovelace were imprisoned at Banbury. This was in the first week in June [c]. Then followed the arrest of the marquis of Hertford, the earl of Northampton, viscount Falkland, the lords St John, Petre, Coventry, Maynard, and Lucas, and above fifty commoners, in the two or three follow-

[b] See above, Chapter XII.

[c] Perfect Proceedings, June 13. Mercurius Politicus, June 14.

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ing weeks[d]. To these men, in the eye of reason, imprisonment may be considered as rather honourable than otherwise, since they suffered only for the constancy of their affections, and their silent attachment to a cause, which from the beginning they had regarded as sacred. The names of earl Rivers and the earl of Peterborough afterwards occur among the prisoners[e]. The periodical papers of the time make an idle boast, that rumours on the continent had been so irrational, as to include the earls of Northumberland and Warwick and lord Fairfax in the list[f].

Proclamation.

On the sixth of July, a proclamation was issued, in which it was stated, that, the protector taking notice of the great confluence and resort of divers ill-affected persons to the metropolis, and having of late received certain intelligence of designs now in hand for the destruction of the established government, it was hereby required that all persons who had been of the party of the late king or his sons, should quit London within six days, except such whose settled residence was in that city. This order to be in force till the twentieth of the following October[g].

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[d] Perfect Proceedings, June 21, July 5. Mercurius Politicus, June 21, 28.

[e] Perfect Diurnal, July 6. Public Intelligencer, Oct. 8.

[f] Weekly Intelligencer, July 31.

[g] Perfect Account, July 11.

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A further measure of extraordinary import was adopted about the end of September; an order of council being issued, that henceforth no newspaper should be published without permission from the secretary of state [h]. Up to this time there were eight weekly newspapers [i], the majority in favour of the government, but two of them in a certain degree hostile to the measures now pursued. They expressed their opposition however for the most part in a very subdued style, and had by no means lately broken out into great intemperance. From this time there appear to have been only two newspapers; the Mercurius Politicus by Marchamont Nedham, and a new one now started, called the Public Intelligencer by the same writer. It is not easy to conceive a measure of a more arbitrary character, than this.

Suppression of public journals.

Nearly at the same time several of the state-prisoners lately taken into custody were enlarged, on their engagement to observe the late proclamation, and to give no disturbance to the govern-

Certain royalists discharged on their parole.

[h] The order is dated Sep. 5. But it was not carried into execution till the beginning of the following month. The first number of the Mercurius Politicus published under this order, was dated Oct. 4, and of the Public Intelligencer, Oct. 8.

[i] Perfect Proceedings, Perfect Diurnal, Perfect Account, Weekly Intelligencer, Faithful Scout, Certain Passages, Mercurius Politicus, and Mercurius Fumigosus. This last is a singular composition, entirely made up of low banter and buffoonery, but without politics.

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ment; in particular, the earls of Northampton and Peterborough, and the lords Petre and Coventry[k].

1655.

Purpose of these proceedings.

All these steps were intended to prepare the public mind for the great and decisive measure that Cromwel had for some time resolved on. This was no other, than the raising a new tax in the way of fine on the adherents of the exiled family. By throwing so many of them into prison, without, as he confesses[l], having any specific accusation against them, he broke their spirits, and prepared them to consider any moderate oppression that might be exercised against them, as an evil that must be endured with patience.

Scheme for arrying it into effect.

A severity, that was to be so widely extended, and so arbitrarily exercised, seemed to him to demand a mature preparation. The royalists of one sort or other were a majority of the people of England, in rank, in property, and numbers. Cromwel's measure was intended exclusively against the old royalists, episcopalians. It was necessary however, as he believed, that it should be conducted with art and meditation. He determined to give it the form of a military measure. And yet, on the whole, he did not judge it safe to employ the army in the execution of it. The army, as we have seen, were by no means unanimously his friends. There was among them a great mix-

[k] Public Intelligencer, Oct. 8.

[l] Declaration shewing the Reasons of Proceedings, p. 14.

ture of anabaptists. There was a number that had deeply vowed themselves to the principles of republicanism, and that entertained an invincible abhorrence to the government of a single person. These men, in addition to the coolness, we may almost say the hostility, they harboured to the individual Cromwel, had a conscience, and were desirous that all things should be conducted upon a fixed principle, and agreeably to a known law. They were not a fit implement in the execution of the present design.

Militia to be employed in it.

Cromwel found a machine to his purpose, created by the ancient constitution of England,—the militia. This he believed he could mould to his ends. But, that he might do so, he adopted an unprecedented measure. He resolved to divide England and Wales into ten or twelve districts, and to place over the militia of each of these districts an officer, with the name of major-general. This plan was carried on with the utmost secrecy for more than two months, and was only brought out to the public eye, when it was already ripe for execution.

England and Wales divided into districts.

Experiment made in the West.

The west of England had been the main theatre of the late insurrection: and we find a commission granted to Desborough, the brother-in-law of Cromwel, dated so early as the twenty-eighth of May, to be major-general of the militia-forces raised and to be raised within the counties of Cornwal, Devon, Somerset, Dorset, Wilts and

BOOK IV. 1655.

Gloucester, to receive these forces into his charge, and to train and exercise them in arms[m]. How far we are to infer from this that the plan of an assessment on the royalists was already in contemplation, it is difficult to determine.

Major-generals nominated.

On the second of August an order of council was made, for Desborough to have twelve troops of militia specifically under his command in the west[n]. And the next day a debate occurred in council upon the subject of the militia in general[n]. But the decisive measure occurred one week later. On that day the council voted that the command of militia, in ten districts that were named, should be intrusted to Fleetwood, another brother-in-law of Cromwel, who had just returned from the government of Ireland, Desborough, Lambert, Whalley, Goffe, Skippon, colonel James Berry, colonel Thomas Kelsey, colonel William Boteler, and major Charles Worsley[o]. To these were afterwards added Barkstead, lieutenant of the Tower, and admiral Dawkins[p].

Aug. 9.

Districts assigned them.

The districts, with some inconsiderable variations, were finally settled, as follows. Fleetwood had the counties of Oxford, Bucks, Hertford, Norfolk, Suffolk, Essex and Cambridge, being permitted to appoint colonel Henry Haynes as

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[m] Thurloe Vol. III, p. 486. [n] Order Book. [o] Ibid.
[p] Public Intelligencer, Oct. 29. Thurloe, Vol. IV, p. 117. Parliamentary History, Vol. XX, p. 433.

his deputy for the four last. The name of Lambert seems to have been used for ornament only, he being too great a man to be employed in a business of this sort: and, having received the north of England into his charge, he was allowed to depute colonel Robert Lilburne for the counties of York and Durham, and colonel Charles Howard, afterwards earl of Carlisle, for Cumberland, Westmorland and Northumberland. Whalley had the command of the militia of the counties of Lincoln, Nottingham, Derby, Warwick and Leicester; Goffe, of Sussex, Hants and Berks; Skippon, of London; Berry, of Worcester, Hereford, Salop, and North Wales; Kelsey, of Kent and Surry; Boteler, of Northampton, Bedford, Huntingdon and Rutland; Worsley, of Chester, Lancaster and Stafford [q]; Barkstead, of Westminster and Middlesex; and Dawkins, of Monmouthshire and South Wales [r].

Character of the persons employed in the business.

The high character of these men must be taken into the account, when we proceed to examine the measure in which they were so deeply engaged.

[q] Order Book, Aug. 9, Oct. 11. Charles Worsley was eminently a favourite of Cromwel: he died in June 1656. Berry rose by the same patronage from the ranks; he had been president of the council of agitators; and Baxter says, he and Lambert were the two persons most actively concerned in bringing forward the instrument, called the Commonwealth of England, in Dec. 1653.

[r] Public Intelligencer, Oct. 29. Thurloe, Vol. IV, p. 117. Parliamentary History, Vol. XX, p. 433.

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Two of them were brothers-in-law of the protector; Fleetwood was one of the best-intentioned and most blameless persons of his time; Lambert was the second man in the state; Skippon is honourably distinguished through every period of this history; and Whalley and Goffe are memorably recorded, in a separate work[s], during a period of compulsory exile and concealment in North America, from 1660 to 1679.

Plan of the assessment.

The tax that was imposed, was the tenth penny (as it was styled[t]) upon all those who should be considered as hostile to the commonwealth, and obstinately attached to the cause of Charles the Second: not, as has been stated by some historians, the tenth part of a man's capital and property, but the tenth of the annual income it produced[u]. It was farther directed that no man should be subjected to this tax, who did not possess an estate of one hundred pounds a year in land, or a personal property to the value of fifteen hundred pounds[x]. In the mean time the distribution and collection of the tax was solely intrusted to the major-generals, and certain commissioners acting under them. The preparation of the measure was conducted with the utmost secrecy; and the directions given by the govern-

[s] History of Three of the Judges of King Charles the First, by Ezra Styles, President of Yale College in New England.

[t] Heath, p. 379. [u] Thurloe, Vol. IV, p. 208, 218.

[x] Ibid, p. 216.

ment to these its military servants, were contained in a paper, entitled Instructions and Orders to the major-generals for preserving the peace of the commonwealth.

Instructions to the major-generals.

The Instructions contained the least unpalatable and offensive part of the business. They were, first, to endeavour to suppress all tumults, insurrections, rebellions, and other unlawful assemblies, and for this purpose to draw together their forces and troops, and march them to such places as they should judge convenient. Secondly, to take care and give order that all papists, and others who had been in arms against the parliament, as well as all who were found dangerous to the peace of the nation, should be deprived of their arms, which should be secured in some neighbouring garrison, or otherwise disposed of. Thirdly, every master of a family or householder, who was considered as disaffected, was to be required to give security by his bond for the good behaviour of all his menial servants, the servants being liable to be called to appear before the major-general or his deputy, at such time and place as either should appoint. Fourthly, an office of register was to be set up in London, where the names of all persons thus giving security were to be entered, together with their residence; and, as often as they changed their abode, this also was to be punctually recorded, and notice communicated to the major-general of each district, as the

Tumults to be suppressed.

Disaffected to be disarmed.

Security to be given.

Register instituted.

BOOK IV.

1655. Persons coming from abroad.

case might require. Fifthly, every person, whether foreigner or otherwise, who came from beyond sea, was required, within twenty-four hours after his landing, to appear before the person whom the major-general of the district should appoint in the different ports for that purpose, to deliver his name, and an account of the place from whence he came, and to which he intended to go, as also, if he came to London, to appear before the register there, and give an account of his lodging and his purpose: all his removals from place to place were to be reciprocally communicated between the register in London and the major-generals in the different districts. Sixthly, the major-generals were to take an account of what had been done in execution of the ordinance against insufficient and scandalous ministers and school-masters, to the end that no disaffected persons might be allowed in public teaching, or in the education of youth. To these were added certain articles as to high roads and robberies, and the execution of the laws against drunkenness and blasphemy, and gaming houses and houses of ill fame, as well as respecting idle and loose persons, who had no visible means of subsistence[y]: to give

Scandalous and insufficient clergy.

Measures of police.

[y] Public Intelligencer, Dec. 17. Mercurius Politicus, Dec. 20, 27. Public Intelligencer, Dec. 31. Mercurius Politicus, Jan. 5, 1656. The whole is given consecutively under these dates. See also Parliamentary History, Vol. XX, p. 461, *et seqq.*

to the whole the more the air of a question of police and general regulation.

1655.

These instructions were made public, and an abstract given in the newspapers: but there were other orders of a more secret nature; and their tenour can only be collected from the correspondence of the major-generals with the government, a portion of which is preserved in Thurloe. From hence we learn the plan of the assessment, and the parties on whom it was to be imposed. They were impowered to summon before them any persons whom they should consider as disaffected to the government, or who had no calling, or visible means of subsistence, and require them to give an account of themselves and their property. They were at the same time authorised to receive information from any other quarters, and by that means to correct the misrepresentation of the principals. Any disobedience to the major-generals made the offender liable to imprisonment at the pleasure of the protector and council. In the mean time this tax never assumes the form of an edict or ordinance. It is referred to in the Order Book of Council, and in the correspondence of the major-generals, but appears not to have been recorded as a law.

Secret orders given to the major-generals.

Inquisition to be made by them.

The forces that were put under the direction of the major-generals are mentioned in the first article of the instructions. The foundation of this body was the militia, as recognised by the practice of the English constitution. The strength

New organisation of militia.

Cavalry.

BOOK IV. 1655.

however that was most attended to and designed to be brought forward on this occasion, consisted in cavalry. The militia drawn forth at the breaking out of the civil war, was composed of horse and foot[z]. We find, in the correspondence of the major-generals, mention of three militia troops[a]; and there seems room to conjecture that a regiment of militia at this time consisted, for the most part, of seven companies of foot, and three troops of horse. There was however involved in the question at present, a remodelling of the militia, and a raising of new troops, volunteers. Boteler talks in his letters, of reforming the militia, putting some out and some in, and represents this as the more necessary, as some that appeared, were unfit, and some that offered themselves as cavalry, had no horses[b]. Goffe speaks expressly of his own troop, and says, that the officers of the militia acknowledged, that they were as a new quickset hedge, and that it would be advisable not to take away the old hedge, till the new one was sufficiently grown[c]. Neal, in his History of the Puritans[d], relates, that the major-generals were ordered to enlist a body of reserves at half-pay, both horse and foot, who were to be called together upon any sudden emergency, and to attend

Volunteers.

Reserve.

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[z] Rushworth, Vol. II, p. 9, 790.

[a] Thurloe, Vol. IV, p. 160, 161, 216.

[b] Ibid, p. 156. [c] Ibid, p. 161. [d] Book IV, Chap. III.

for a certain number of days at their own expence, but if they were detained longer were to have full pay; by which means the protector had the germ of a second army, if at any time he found the old army ill adapted for his purpose. And Bates, Cromwel's physician, in his Elenchus Motuum [e], says, that troops of horse were raised, for the most part volunteers, whose pay at present was small, eight pounds a year. This is confirmed by Clarendon [f] and Echard, with this difference, that the two latter speak of bodies of foot, as well as horse. Such was the machine that Cromwel drew forth, to put down any resistance that might otherwise be made to the collection of his tax: and he did not employ on this occasion the members of the regular army, because he did not think them sufficiently pliant to be resorted to in so questionable a measure.

Eight-pound men.

The major-generals, as we have seen, were expressly nominated so early as the ninth of August. But the utmost secrecy was observed on the subject for a considerable time. Thurloe writes of it to Henry Cromwel in Ireland, as of a measure newly started, on the sixteenth of October [g]: and it was not made public till the twenty-fifth of that month [h]. On the thirty-first a manifesto was is-

Caution with which the project is conducted.

Manifesto of the protector.

[e] Part II, p. 226. [f] Vol. III, p. 585.

[f] Thurloe, Vol. IV, p. 88.

[h] The appointment of the major-generals is spoken of in the

BOOK IV. 1655.

sued, as a prelude to the execution of the measure, entitled, A Declaration shewing the Reasons of the Proceedings of the Government for securing the Peace of the Commonwealth on occasion of the late Insurrection and Rebellion.

Accusations against the royalists.

In this paper great stress was laid on the clemency that had been hitherto displayed towards the royalists, in the very moderate compositions that had been exacted for their delinquency, in the exemplary observation of all articles of surrender, and finally in the act of oblivion. It was said, that the royalists had in reality paid less to the state in their compositions, than the parliament-party in the various taxes to which they had been subjected for carrying on the war. This proceeding on the part of the commonwealth was affirmed to be altogether unparalleled: other nations in all ages, in cases of civil war, having held it as a principle, that settlement after such commotions was only to be obtained by depriving the losing party of the very power of engaging in new disturbances; and, in this nation in former times, loss of life and confiscation of property had to the defeated been the usual results of victory. But the conquering party in the present case had resolved to try the effects of forbearance, and whether the utter impossibility of further success to the

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proclamation of that date, for royalists to depart from the lines of communication.

conquered, and the consideration of the visible hand of God having been put forth in favour of the friends of liberty, sobriety, and true religion, would not have the effect of uniting the inhabitants of the island in a disposition to conform to and support the present happy establishment. The declaration went on to observe, that, in such concessions as the adherents of the commonwealth had made to the royalists, there was contained a principle of reciprocation; as they conferred a real benefit and advantage on those who had resisted, so there was a good intended, and designed to be imparted by them, to the state. Pardon and remission were always granted with conditions of good behaviour, either expressed or implied; and, if these conditions were not complied with, the pardon might be said "not to be accepted." Such proceedings were in the nature of a contract; and, in case the party forgiven broke out into new acts of disobedience and insurrection, the party which had granted the favour, ceased to be bound by the concessions that had been made. The act of oblivion had been passed in February 1652; and from that period a general harmony and cheerful submission to the government of the commonwealth ought to have commenced. 1655.

Extent of the alleged disaffection.

The declaration went into a copious detail of the particulars of the insurrection that had broken out in the commencement of the year, and, from them all, from the circumstance that the insurrec-

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tion had been projected to declare itself in all parts of England at once, and that Charles Stuart had actually come as far as Middleburg, for the purpose, upon the first sufficient encouragement, of passing over to this country, it was inferred, that all those who had heretofore adhered to the royal cause had been implicated in the project; and that such as had not pledged themselves to take up arms on the occasion, had in the fullest manner given it their good wishes, and waited with impatience for the time when they might come forward in favour of the exiles, and in opposition to those who now held the government.

Inference.

The government proceeds to say, "Upon these grounds we have been necessitated to erect a new and standing militia of horse in all the counties of England, under such pay as might be without burthen to the peaceable and well-affected, and be a fitting encouragement to the officers and soldiers, that they might not go to war at their own charge; and therefore we have thought fit to lay the burthen of maintaining these forces, and of certain other expences which are occasioned by them, upon those who have been engaged in the late wars against the state." The declaration concludes, that nevertheless, "if there was yet any person that had been of that party, who could say with truth that he was wholly free from that design, and shew, by actions previous to the insurrection, a disclaiming of the tenour of

his former life and conversation; or, if any, being now sensible of his error, should change and forsake his former interest, and give demonstration to that effect, the government would much more esteem of their reformation, than desire their prejudice or harm."* CHAP. XVI. 1655.

Conduct of the affair.

This extraordinary measure was so skilfully concerted, that it was immediately attended with perfect success. The major-generals and the commissioners entered upon their business with exemplary diligence and zeal. The royalists, terrified at the extensive arrests and imprisonments that had taken place of their brethren, and awed by the military preparations that had been made in case of resistance, promptly obeyed the summons of the major-generals, and for the most part yielded without a murmur to the assessment that was made upon them. There was indeed little hope in resistance. There was no reference allowed to the courts of law in this case; the only appeal was to the protector in council. The major-generals appear to have proceeded for the most part with great moderation, but with invariable firmness. One feature of the measure, which was of the greatest importance to its success, was the short time that appears to have been allowed for the collection of the tax. As the orders by which the commissioners were to direct their proceedings in this respect have never been brought to light, we cannot exactly ascertain how much

BOOK IV. 1655.

time was given to the collectors before they should render their accounts; but we find repeated allusions to its shortness in the correspondence of those who had the direction of the affair [i].

Cleveland imprisoned.

It is somewhat interesting to notice that two of the sufferers under the proceedings of the major-generals were John Cleveland and Jeremy Taylor. Cleveland was a poet and a satirist, and one of the most popular writers in English literature, his works having gone through ten editions in the course of twenty years, from 1647 to 1667. He was arrested by major-general Haynes at Norwich, and sent prisoner to Yarmouth. One of the reasons assigned for the proceeding was, that he lived in utter obscurity in the house of a royalist, very few of the place knowing that there was any such person resident among them. A second reason was that he was a person of great abilities, and able to do considerable disservice; and a third that he wore good clothes, though, as he confessed, he had no estate but twenty pounds *per annum* allowed him by two gentlemen, and thirty by the person in whose house he resided, and whom he assisted in his studies [k]. He would have been released, had he possessed any property upon which the commissioners could have fixed an assessment. After three months' confinement he addressed Cromwel in a petition in which the

[i] Thurloe, Vol. IV, p. 171, 216.

[k] Ibid, p. 184.

most delicate flattery combined with great firmness of purpose; and so obtained his liberty [l].

1655. and Jeremy Taylor.

Jeremy Taylor was the author of a book of the most beautiful poetry in prose that ever was written, on Holy Dying, and of an admirable logical treatise in favour of toleration, entitled, A Discourse of the Liberty of Prophesying. He was the son of a barber at Cambridge, but rose by the force of his genius to the highest ranks in literature, and to the most honourable distinctions in the church. By the habits of his education he was devoted to episcopacy and the house of Stuart, and fell under the animadversion of the major-generals accordingly. His confinement appears not to have been of much duration: its scene was Chepstow Castle in the county of Monmouth [m].

Arbitrary proceedings.

The proceedings of the major-generals were in a high degree arbitrary. They summoned whoever they pleased before them as delinquents. It was dangerous to slight their commands. They enquired into every man's estate and income, and assessed it to the tenth of its annual value. If any man endeavoured to clear himself of delinquency, they pronounced upon the validity of his defence or otherwise. They sent whom they pleased to prison, and confined him where they

[l] Winstanley, Lives of the Poets. The petition is printed in Cleveland's Works.

[m] He was first apprehended, 25 July (Perfect Account, Aug. 8), and was at large before the end of the year.

BOOK IV. 1655.

pleased. It was one of the characteristics of Cromwel's government, that those who were judged to be disaffected, never succeeded in their endeavours to be set at large in course of law. It is true, that these rigours were never applied but to such as had acted for the Stuart family, or whose affections were engaged to that cause: but this was a numerous class. It is true, that the major-generals in most instances conducted themselves with moderation and equity: but this military government had not less the substance of a tyranny.

Reflections.

The severity of Cromwel's proceeding in this case was perhaps such as could not be dispensed with; but it serves at least to shew what was the true state of the nation, and of the sentiments with which men were impressed, and what violent and arbitrary measures were required for the support of the present system.

Lord Grey of Groby.

It was about the same time that lord Grey of Groby was liberated from confinement[n]. He appears to have been in prison for nearly eighteen months[o]. Ludlow says, he was only enlarged, by means of giving pecuniary security to a considerable amount that he would not act against the present government. He had previously obtained a writ of *habeas corpus*, with which his jailor refused to comply[p].

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[n] Mercurius Politicus, Aug. 2.

[o] See above, p. 165.

[p] Ludlow, p. 530.

CHAPTER XVII.

CONDITION OF THE JEWS IN ENGLAND.—FAVOURABLE DISPOSITION OF CROMWEL TOWARDS THEM.—MENASSEH BEN ISRAEL.—HE COMES TO ENGLAND.—HONOURABLY RECEIVED BY THE PROTECTOR.—HIS PROPOSITIONS.—CONFERENCE APPOINTED RESPECTING THEM.—UNFAVOURABLE ISSUE OF THE CONFERENCE.—THE JEWS ARE NEVERTHELESS ALLOWED AN ESTABLISHMENT AND PRIVILEGES.

CHAP. XVII.

1655. Condition of the Jews in England.

A NOBLE design formed by Cromwel at this time was in relation to the people of the Jews. They were detested through the Christian world, as the murderers of the Son of God; and the superstition of the dark ages caused this sentiment to shew itself in the most unheard of barbarities, and an unrelenting persecution. The peculiarities of this race of men, their singular diet and customs, and their striking physiognomy, kept alive the hatred, and aided the proscription. Yet they were the most industrious and sharp-sighted of mankind. As, by the laws of Europe, they could possess no land, and arrive at no public honours, and as it was morally impossible they should ac-

BOOK IV. 1655.

quire the commendation or the love of any of the nations among whom they sojourned, they resolved to aspire to what was still within their reach, wealth, and whatever by the conventions of society represented wealth, whether coin, or any of those bonds, contracts, and written engagements, which are held sacred among mankind.

Favourable disposition of Cromwel towards them.

They were banished from England in the year 1290; and from that time no body of Jews formed into a community, could be found within our dominions [a]. After the lapse of three hundred and sixty-five years, Cromwel determined to signalise himself by putting an end to this proscription. It was an enterprise worthy of his character. His comprehensive mind enabled him to take in all its recommendations and all its advantages. The liberality of his disposition, and his avowed attachment to the cause of toleration, ren-

[a] There were certainly Jews in England within this interval [among others we may mention Rodrigo Lopez, physician to queen Elizabeth, who was executed for a conspiracy to poison her]: but they were not tolerated in their ceremonies of religion; they had no place appropriated for public worship, and no cemetery for the burial of their dead. They therefore existed only in an insulated manner, without privileges, and, so to express it, without a name. They were never here in any numbers; one, and another only, came over, in neglect of religious rites, and severed from any assemblage of their countrymen, as they might be led by the thirst of gain, or any other adventurous enterprise, such as induces men from time to time to trample upon obstacles by which the generality of their species are accustomed to be restrained.

dered it an adventure becoming him to achieve. As a man, he held that no human being should be proscribed among his fellow-men for the accident of his birth. As a Christian, who looked forward in the faith of prophecy for the conversion of these our elder brethren in the rejection of polytheism, he knew that kind treatment and impartial justice supplied our best instrument for subduing their prejudices. And as a statesman, he was aware how useful the Jews might be made, to the nation, as the medium of commerce, and to the government, as the means of correspondence, the communicators of valuable information, and the divulgers of secrets with which it might be important for them to be acquainted.

Menasseh Ben Israel.

How the intercourse began between him and the objects of his liberality we are not fully informed. The first thing distinctly noticed on the subject, is, that a certain Menasseh Ben Israel, by birth a Portuguese Jew, but established in Holland, and one of the chiefs of the synagogue at Amsterdam [b], came over to England in the close of the year, to negociate with Cromwel on the subject. He was the most learned man of his nation, and universally respected, counting among his friends Huetius, Bochart [c], and Barlæus. Thomas Pocock, the son of the celebrated orientalist, who wrote the life of Menasseh, describes

[b] Huetiana, p. 225.

[c] Ibid.

BOOK IV. 1650.

him as a man in whom passion and fickleness had no sway, but who was little blessed with the goods of fortune [d].

His proceedings subsequently to the death of Charles the First.

He says of himself, that, being excited by the great things the parliament had achieved five years before, and the unusual attempt in which they had engaged, and by the changes of so many nations, which of late the supreme governor of all things seemed to be bringing on the world, he had conceived that a fitter time could not be found for the experiment of restoring his countrymen to the privileges of men in this island [e]. In execution of this project he had at that time applied from Amsterdam to the Long Parliament for, and had obtained, a passport. He was however prevented from making use of their indulgence. He then addressed the second [or Barbone's] parliament, and obtained from them the same favour, but was still detained on the continent. Finding however at this crisis that his coming over would not be unwelcome to Cromwel, he set out for London [f].

1655. He comes into England.

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[d] Tovey, Anglia Judaica, p. 273, 274. Pocock's narrative is prefixed to a translation of Menasseh, De Termino Vitæ, 1699.

[e] Hope of Israel, translated into English, and published by authority in 1650, Dedication.

[f] Vindiciæ Judæorum, by Menasseh, p. 38. Salmonet says, the Jews took occasion from the king's trial, to petition the council of war, that the act of their banishment might be repealed, and that they might have St Paul's church for a synagogue; for which, and the Public Library at Oxford, they offered six millions of livres,

He arrived in October, and immediately after published a tract, entitled A Humble Address to the Lord Protector in behalf of the Jewish Nation.

Cromwel received him with much distinction, and speedily appointed a conference of lawyers, citizens and preachers, to meet at Whitehall, to consider the propositions of Menasseh. This assembly sat four times in the month of December [g]. The desires expressed by Menasseh were, first, for the protection of the government to his countrymen who might be willing to reside in England, secondly, that they might have a synagogue in London, thirdly, for a cemetery, fourthly, that they might be allowed freedom of trade, fifthly, that they might be permitted to determine processes among themselves, with liberty, if either party pleased, of appealing to the civil courts of the country, the party appealing depositing first the amount of the sum in dispute, and engaging to abide the sentence of the English judges, and sixthly, a revocation of such laws as might be found in existence, that were hostile to these privileges [h].

Cromwel appoints a conference respecting the condition and desires of the Jews.

Propositions of Menasseh.

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but the council of war insisted upon eight. The brokers employed by the Jews were Hugh Peters and Henry Marten. The proposal was submitted to the then house of commons by the council of war, along with a suggestion for the abolition of tithes. *Histoire des Troubles de la Grande Bretagne*, p. 309. It is useless to enlarge upon the absurdity of this statement.

[g] Mercurius Politicus. Public Intelligencer.

[h] Public Intelligencer, Dec. 24. Mercurius Politicus, Dec. 27. Previously to this time a petition from Manuel Martinez Dormido,

BOOK IV.

1655. Persons appointed to take them into consideration.

The persons appointed to sit on these propositions were chief justice Glyn, and chief baron Steele, with the lord mayor Dethick, the two sheriffs, two of the aldermen, Pack and Tichbourne, and the master of the Charter House. The clergy were Owen, Goodwin, Wilkinson, Nye, Cudworth, Whitchcot, and eight others: to whom were afterwards added Hugh Peters, Peter Sterry, and Bulkeley, provost of Eton College. Chief justice St John also appears to have been called in; and Cromwel's council assisted at the debates [i].

Zeal of the protector on the occasion.

The protector himself took a considerable part in these conferences [k]. Sir Paul Ricaut, who was then a young man, and had pressed in among the crowd, said, he never heard a man speak so well,

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alias David Abrabenel, a Jew, was presented to Cromwel to the same effect: to which is annexed the following memorandum:

"His Highness is pleased in an especial manner to recommend these papers to the speedy consideration of the council.

"Friday, 3 Nov. 1654.

"J. Sadler."

The original of this petition was sold by Sotheby in the present year 1828, being part of the collection of Thomas Lloyd, Esq, of Buckingham Street in the Strand.

The wife of Menasseh was of the family of the Abrabenels, who claimed to be of the tribe of Judah, and of the royal family of David. Huetiana, p. 224, 225.

[i] Narrative in one sheet, published by authority, *apud* Tovey, Anglia Judaica.

[k] Echard *ad annum*.

CHAP. XVII.

as Cromwel did on this occasion[1]. The conferences however came to nothing. The citizens were divided in their opinions: but most of the divines were adverse to the measure, and produced text after text against it with unremitting assiduity. Cromwel therefore judged it expedient to put an end to their deliberations[m].

1655. The conference proves abortive.

But, though baffled in this, and not thinking it right under the circumstances, to grant the Jews that open establishment which he had meditated, he was not thus to be turned aside from his pur-

1656. They are nevertheless allowed an establishment and privileges.

[1] Spence, Anecdotes, p. 77. Sir Paul was undoubtedly wrong, dazzled, it may be, with the greatness of the personage, and the memorableness of the scene. We have sufficient specimens of Cromwel's eloquence. He was seldom deficient in logic, seldom perhaps in fervour; but his discourses are deformed with verbosity and tediousness.

[m] The Narrative above quoted, which appears to have proceeded from the pen of Menasseh, and is dated, 1 April, 1656, concludes, "What shall be the issue of all this, the Most High God knoweth. Rabbi Menasseh Ben Israel still remains in London, desiring a favourable answer to his proposals; and, not receiving it, he hath desired that, if they may not be granted, he may have a favourable dismission, and return home. But, other great affairs being now in hand, and this being a business of very great concernment, no absolute answer is yet returned to him."

In his Vindiciæ Judæorum, dated nine days later, p. 38, 39, he says: "As yet we have had no final determination from his Serene Highness. Wherefore those few Jews that were here, despairing of our expected success, departed hence. And others, who desired to come hither, have quitted their hopes, and betaken themselves, some to Italy, some to Geneva."

BOOK IV. 1656.

pose. He granted to several of them a dispensation to come and reside in London, and from that time they built a synagogue, and formed themselves into a sort of community. This excited great discontent in a number of Christians; and among others Thomas Violet, a goldsmith, did every thing in his power to interrupt their settlement. About Christmas 1559 he applied to Mr. justice Tyrrel, one of the judges of the common bench, representing how greatly contrary to law it was, that these people should have the audacity to worship God according to the forms of the Mosaic dispensation in England [n]; and in December 1660 he, together with other merchants of the city of London, presented a petition to the king and parliament, praying that the advantages granted to them by the late usurper might be altogether revoked, and made of no effect [o].

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[n] Violet, Petition to King and Parliament, p. 7.

[o] This transaction of Cromwel is treated of with great obscurity in our histories; and Tovey, in his Anglia Judaica, expressly maintains that the Jews were not admitted into England till after the Restoration. Violet's account of his own proceedings places the matter however beyond the reach of controversy. There is a curious description of the ceremonies of their worship in 1662, in Ellis, Original Letters, Second Series, Vol. IV, p. 1, *et seqq.*, from which it appears, that the writer "counted above one hundred right Jews in the synagogue, all gentlemen, not one mechanic person among them."

To bring the question however to a still greater degree of evi-

dence, I applied to the Rulors of the Spanish and Portuguese Synagogue in Bevis Marks, and by their permission, Mr. Almosnino, their secretary, obligingly went over with me some of their oldest records. Among them I found an account of a lease of a piece of ground in the parish of Stepney, granted them in February 165$\frac{4}{5}$, for a burying ground. Also, an agreement in 1674, to enlarge, alter and improve the synagogue in Cree Church Lane, St Catherine Cree, London. The synagogue in Bevis Marks was not built till 170$\frac{3}{4}$.

CHAP. XVII.

1657.

CHAPTER XVIII.

PREPARATIONS FOR ANOTHER PARLIAMENT.—ADVANTAGES POSSESSED BY CROMWEL.—CONCILIATORY SENTIMENTS OF THE PRESBYTERIANS.—PACIFIC DEMEANOUR OF THE ROYALISTS.—HOSTILITY OF THE REPUBLICANS.—HEALING QUESTION, BY VANE, PUBLISHED.—TRACT, ENTITLED ENGLAND'S REMEMBRANCER.—VANE AND OTHERS REQUIRED TO GIVE SECURITY.—VANE REFUSES, AND IS SENT TO CARISBROOK CASTLE.—HARRISON AND OTHERS PUT IN CONFINEMENT.

BOOK IV.

1655. Manning shot.

In the month of December occurred the death of Manning, a spy of Cromwel, who had constantly attended the king, and had followed him to Middleburgh, when he came to that place for the sake of a more easy passage to England [a]. His treachery being discovered, it was resolved to make an example of him; the duke of Newburgh gave his sanction to the deed; and Manning being accordingly conveyed into this prince's territories, was there shot with pistols [b].

1656. Preparations for another parliament.

The time was now approaching, when it would be necessary for the protector to meet a new par-

[a] See above, p. 166. [b] Clarendon, Vol. III, p. 563, *et seqq.* Ludlow, p. 609. Whitlocke, Dec. Thurloe, Vol. IV, p. 718.

liament. However arbitrary some of his proceedings might appear, he had never contemplated the aspiring to a despotical sceptre. He had been too long engaged in maintaining the sacred cause of liberty, not to hold that cause in high estimation. All his connections had been among the men, who had vowed themselves to the resistance of arbitrary power, and had sworn eternal hostility to the system of Charles the First and his advisers, of governing without a parliament. All his habits of thinking were devoted to the support of political and religious liberty. Even had it been otherwise, he could not have advanced a single step in any other direction, or toward any other open and avowed purpose. The most considerable of his friends, were men determined to aid him in the pursuit of the true interests of England, and who deemed him the fittest man to secure the independence and happiness of his country. Had he openly disappointed them in this, they would have immediately deserted him. They were not disposed to follow him blindfold, or to perform his behests indiscriminately. His own conception of what he had done for the last three years, was, that he had planted himself in the breach, that he had prevented the ruin of the public cause, and had, at a critical moment, stood forward as it were under the character of a constable, to preserve the peace of the country [c].

1656. Bias of Cromwel towards the cause of liberty.

Considerations that limited his authority.

[c] Monarchy Asserted, p. 37.

BOOK IV.

1656. Momentous nature of the crisis.

Cromwel could not but be anxious that the election and meeting of this parliament should be conducted with wisdom and skill. He was most desirous that the experiment should not turn out nugatory and abortive, like that of Barbone's parliament in 1653, or the more solemn and constitutional assembly of the chosen representatives of the people in the following year.

Advantages possessed by the protector.

He had prepared every thing for this occasion with the vigilance he was able to exert. He felt that the institution of the major-generals, though designed for a different purpose, might be made available in this affair. The military and somewhat arbitrary power they possessed, was capable of being effectually applied in various respects by way of influencing the approaching elections. Thus far even Fleetwood and Desborough and Whalley were disposed to lend themselves to the views of the protector.

Influence that belonged to the major-generals.

Situation of Cromwel with the presbyterians.

Character of that party.

Cromwel, beside this, was earnest and active in his endeavours to conciliate the presbyterian party. The adherents of this sect were extremely numerous: they comprehended a considerable portion of the old nobility, and many of the richest and most powerful members of the community; men who, by the tyranny of the bishops, and the zealous representations of their own puritan chaplains, were made irreconcilably averse to the old hierarchy, but were the devoted champions of a national religious establishment, plain in its forms, unexpensive in its administration, sober in

its demeanour, and fervent in its devotion, to be conducted on the stiff and unbending principles of the church of Scotland.

They comply in some degree with the views of the protector.

Whatever might be the secret leaning of the presbyterians towards the house of Stuart, we are not to suppose, that they were at this time very earnest in their good wishes to the exiles. They had been decidedly adverse to the abolition of the monarchy; but, when that measure was completed, they were not disposed to make great sacrifices to effect the restoration. It was clear that both Charles the First and Charles the Second regarded their system of ecclesiastical discipline with sentiments of aversion; and, if they had persisted in their predilection for the ancient line of our monarchs, there would have been no reciprocity in the alliance. Cromwel saw incalculable advantages in a connection with this party: and, especially from the time that, excepting the bare name only, he had assumed the diadem, they had determined to conduct themselves towards him in a style of neutrality at least. The republican system which they loathed, was not now in operation; and, though they were avowedly favourable to the preservation of our old institutions in political matters, they conceived they had gained enough by the regulations of the Government of the Commonwealth, to induce them to forbearance towards, and acquiescence in the present system of affairs.

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1656. Situation of the royalists.

Even the royalists had to a considerable extent at this time dismissed their vehement and embittered animosity to the protector. This party, like that of the presbyterians, comprehended a large portion of the old nobility, and many of the most opulent members of the community. They indeed had motives to a persevering hostility, that did not fall to the lot of the other sect, who were in some respects in circumstances similar to their own. They had experienced no disobligation from the Stuarts, and their predilection was for an established church, such as had flourished under Elizabeth, and the two princes, her successors.

They mitigate their hostility to Cromwel.

But there are limits to the devotion of mortals, at least to any political cause, and any merely temporal leader. The royalists had gone far, out of predilection for their legitimate sovereign, and animosity to the men who dared to draw the sword and take the field against him, and had finally led him to the scaffold. But we are for the most part little disposed to hold out in matters of this sort, when hope has withdrawn from us. It was now seven years, since the prince for whom the quarrel had commenced, had expiated his faults or his ill fortune in his blood. Numerous enterprises and rebellions had been organised in favour of the claims of his son. They had all come to one issue. The executive government of England had for a considerable time been in the

Apparent hopelessness of the cause of the Stuarts.

hands of a statesman, every way qualified to maintain the authority he had first usurped. Men saw his vigilance, his capacity, and his great intellectual resources. England was no longer the country which it had been when Charles the First began the experiment of governing without a parliament. Between twenty and thirty years had elapsed. During the first part of that time, a steady principle of disapprobation of the proceedings of the king and his ministers, had been silently making its way through the community. War had then begun; and the modes of a commonwealth-government had gradually grown into practice even during the war. A generation of men had gone by; the principle of attachment to our old succession of princes survived only in a few; and there was little probability, humanly speaking, that the system of the ancient English constitution in this respect would ever be restored.

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Moderation of the government towards them.

The government of Cromwel was characterised by a judicious mixture of severity and clemency. Even the harsh measure of the decimation of the royalists, was conducted with exemplary celerity and steadiness. It had been completed before the end of the year 1655; the royalists, who had been arrested to an extraordinary extent, had been set at liberty, only giving security for their quiet and inoffensive demeanour in future. The irritation, which must first have arisen out of this

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extraordinary scheme of taxation, had now in a great degree subsided.

1656. Sentiments of Cowley.

We may form some judgment of the temper of the more moderate and well tempered of the royalists, from the language of Cowley, in the Preface to the Folio Edition of his Poems, published in this year.

His declarations.

"I have cast away," says he, giving an account of the contents of the volume, "all such pieces as I wrote during the time of the late troubles with any relation to the differences that caused them; for it is so uncustomary as to become almost ridiculous, to make lawrels for the conquered. Now, though in all civil dissentions, when they break into open hostility, the war of the pen is allowed to accompany that of the sword, and every one is in a maner obliged with his tongue, as well as hand, to serve and assist the side which he engages in; yet, when the event of battel, and the unaccountable [unfathomable] will of God has determined the controversie, and that we have submitted to the conditions of the conqueror, we must lay down our pens as well as arms, we must march out of our cause itself, and dismantle that, as well as our towns and castles, of all the works and fortifications of wit and reason by which we defended it. We ought not, sure, to begin ourselves to revive the remembrance of those times and actions, for which we have received a general

amnestie as a favor from the victor. The truth is, Neither we, nor they, ought by the representation of places and images, to make a kind of artificial memory of those things, wherein we are all bound to desire like Themistocles, the art of oblivion. The enmities of fellow-citizens should be, like that of lovers, the redintegration of their amity. The names of party, and titles of division, which are sometimes in effect the whole quarrel, should be extinguished and forbidden in peace under the notion of acts of hostility. And I would have it accounted no less unlawful to rip up old wounds, than to give new ones."

Precariousness of the present truce.

It might seem therefore, as if Cromwel would have no difficulties in conducting his new parliament, except such as arose from his former allies, the determined republicans, who would never forget their deeply meditated purpose of founding a pure commonwealth, with no court, and no master; but where every citizen should know himself the equal of every other citizen, and feel convinced that the highest elevation in the state was open to every one, whose virtues and talents might qualify him to fill it. But this was by no means the case. The new alliances of the protector were more specious than solid: they were an armed neutrality, in which the parties, that now submitted themselves to his sway, and, as Cowley expresses it, had "marched out of the intellectual works and fortifications of their cause," were ready

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to resume their hostility, as soon as an undoubtedly favourable opportunity should present itself. Cromwel glided along over a level and brilliant surface freely and without apparent obstacle; but the substance that supported him was as brittle as ice, and might betray him as soon. The presbyterians would never forgive him for his principles of toleration; the royalists would not forget that he had violated the sacredness that shrouded the person of the king, and struck off his head. Cromwel was too thoroughly acquainted with human nature, to regard the men who had engaged with him in a truce for the present, as friends who would afford him their support in a season of substantial danger.

Dispositions of the republicans.

For the instant however the machinations that claimed his immediate attention were those of the republicans. From them the first unfriendly proceedings would arise. They had no purpose to comply further with the present government, than prudence and a just calculation of the probable event of their hostility might render necessary. And, whatever the presbyterians and the royalists might think of the state of affairs, they were by no means convinced that they might not immediately engage in schemes, which should be subversive of the protectoral government.

Proclamation for a fast.

On the fourteenth of March a declaration was issued by the protector and council, calling on the people to join in observing a solemn day of

fasting and humiliation for the sins of the nation, and to intercede for the favour of heaven. In the course of this paper it was observed, that the governors desired to humble themselves for their sins, together with the nation, and that they earnestly longed for conviction from God, of any errors they had committed, or offences into which they had fallen[d].—Nothing was more usual than these proclamations for a fast, which were issued many times in every year.

Healing Question, by Vane, published.

The present however was rendered remarkable by a circumstance that was founded on it. Sir Henry Vane, though profoundly disapproving of the policy of Cromwel, had taken no part in the conspiracies and consultations of the disaffected. He seized on this occasion to issue a tract, entitled, A Healing Question Propounded and Resolved, in Reference to the Invitation to a General Fast.

Asserts the right of the friends of liberty to the government.

In this piece he maintains the natural right of the friends of liberty in England, confirmed as it was by their memorable victory over the enemies of that right, to be governed by national councils and successive representatives of their own election. The author declares this right to be in the friends of liberty exclusively, that is, in those who were known, and had distinguished themselves, by a forwardness to assist the public good

[d] Public Intelligencer, Mar. 17.

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and freedom of the nation. To express their faithfulness to this cause, they had largely contributed in one kind or another, what was proper for each in his place to do, and by so doing had acquired for themselves a claim of incorporation and society, to consult for their common good.

Approves of the army and the general.

To render this doctrine palatable and practicable in the present situation of affairs, the author praises the army; at the same time that he says, that not only the army as at present constituted, but the total of the well-meaning party, embodied in their military capacity, forms the proper, irresistible and absolute strength of the nation. He expresses himself satisfied with the army, as now it is, under the command of an honest and wise general, and sober and faithful officers, and calls upon those in power to prepare all things requisite for the exercise of the general right, as, like faithful guardians to the commonwealth at present in its nonage, they are bound to do.

Calls on them to declare for the good cause.

Predicts the salutary effects that would result.

This once put in a way, he proceeds, and declared for by the general and army, as that which they are clearly convinced in the sight of God, it is their duty to bring about, how firmly and freely would this bind the hearts and persons, the counsels and purses, the affections and prayers, of the whole party, to assist and strengthen the hands of those now in power, whatever straits and difficulties they might meet with in the maintenance of the public safety and peace!

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And, if this, which is so essential to the well being and right constitution of government, were once obtained, the disputes about the form would not prove so difficult, nor find such opposition, as to keep open a door of contention. Would a standing council of state settled for life, in reference to the safety of the commonwealth, and for maintaining intercourse and correspondence with foreign states, under the inspection and oversight of the supreme judicature, be likely to meet with disapprobation? Might not the orders of this council, in the intervals of the supreme national assemblies, be made binding, so far as they were consonant to the settled laws of the commonwealth? Nay, would there be any just exception to be taken, if it should be agreed, as another part of the fundamental constitution, to place that branch of sovereignty which chiefly respects the execution of the laws, in a distinct office, capable to be intrusted in the hands of one single person, if need should require, or in a greater number, and, for the greater strength and honour to this office, that the execution of all laws and orders that are binding, should go forth in his or their name, and all disobedience to or contempt of them, be taken as done to the people's sovereignty, of which he or they bear the image, subordinate to the legislative power, and at their will to be continued in the same hands or otherwise, as

Approves of the institution of counsellors for life.

Suggests the possible eligibleness of resting the executive in a single person.

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the experience of its advantage or disadvantage might decide?

Censures the administration of affairs.

This tract however, though thus mild and temperate in its structure, was not entirely without passages that might give offence to the present government. It spoke of "a great interruption that had lately taken place in regard to the expectations of the friends of liberty, and that, instead of setting up a national representative, something had arisen, that seemed rather accommodated to the private and selfish interest of a particular part, than truly adequate to the demands of the common interest and cause:" and further on, of "what had been doing for the three years last past, as if God were pleased to stand still, and be as a looker-on, to see what his people would be in their latter end, and what work they would make of it, if left to their own wisdom and politic contrivances[e]."

Cromwel's view of the policy necessary to be adopted.

Cromwel found it impracticable to go on any longer without a parliament; but he could not avoid feeling most acutely on the eve of so critical a measure. His thoughts were of a mixed nature, partly having relation to the public, not without some alloy of considerations arising out of his personal interests and ambition. The great

[e] It is somewhat remarkable that no notice is taken in this tract, of the proceedings of the major-generals. Vane was no doubt of opinion, that, in supporting the cause of virtue and liberty, recourse might sometimes be had to arbitrary proceedings.

majority of the people of England, as has repeatedly appeared, were favourable to the recal of the house of Stuart: but Cromwel, as a patriot, could not endure the idea of such an issue. With the return of that house was closely allied the triumph of despotism and intolerance. It was clear that the exiled family had learned no wholsome lessons in their state of banishment. They had superinduced the follies and frivolities of France upon their inherent disqualifications; and with them would infallibly come in an inundation of licentiousness, profligacy and irreligion. It was strongly rumoured that they had adopted the religious creed, along with the politics and dissipation, of the French court. Could any man that loved his country, and cherished in his inmost heart the honour of England, bear to anticipate such an issue to the arduous and illustrious struggle in which the friends of liberty had been engaged?

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Resolves to retain his present elevation.

It was far from certain that the plan delineated by Vane would be entirely competent to prevent all the dangers arising from the assembling the national representative. But Cromwel thought of something distinct from this. He resolved not to loose his hold of the elevated station to which he had with such difficulty climbed. He no doubt thought the public welfare indissolubly bound up with the continuance of his authority. He had already shewn in the last parliament, that he would not bear to have the foundations of his

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power, and what he called, the Government of the Commonwealth, taken to pieces and analysed, parcel by parcel. It was therefore his first care that the parliament should be constituted so, as neither to endanger the public freedom, nor his own personal and more private purposes.

Believes this to be indispensible to the public welfare.

Cromwel was a man, to whose mind the thoughts of religion and conscience were familiar. Though he was full of ambition, yet ambition never stood out to his reflections in that naked form, in which it appears to men who have trampled on these holier ties. He was firmly persuaded that the cause of liberty, and the honour of his country, were closely connected with his authority and his present station. He believed that every thing would fall into confusion and disorder, if they were withdrawn. His talents, his firmness, his intrepid temper, and the inexhaustible resources of his mind, fitted him for the office he had undertaken. If he, the binding piece that held together the machine, were taken away, presbyterians and independents, anabaptists and fifth-monarchy men, would fall to the tearing each other to pieces; and in the midst of the contention, the common enemy would see his advantage and step in, and the last state of England would be worse than that, which had preceded the noble resistance that had been commenced sixteen years before to the incroachments of despotism.

Purposes to

Another of the objects Cromwel had in view

1656. place his government on a legal basis.

in calling a parliament, was to place his government on a legal basis. He had now been the first magistrate of England ever since December 1653. He had boasted that his authority had a higher foundation than a parliamentary, in the acceptance of the nation; that is, that all the public functionaries, and the people generally, had either acted under it, or acquiesced in it. But he knew in his heart, that this was a slight and imperfect basis. There was no sanction known in this nation superior to that of a parliament. By the ancient constitution parliament consisted of king, lords and commons. But the concurrence of the king had been dispensed with in the most important instances, ever since the commencement of the civil war. And the abolition of the monarchy and the house of peers had been confirmed by a solemn act in February 1649[f]. Add to which, the representation of the people in parliament had now been rendered more perfect and equal than at preceding periods[g]. It was in vain therefore to look for any higher authority than the house of commons, in other words, than the people in parliament assembled. Cromwel resolved to have his government recognised by this authority. He had satisfied himself that the business of the nation could not be advantageously carried on but with

[f] See above, Vol. III, p. 14.

[g] Ibid, p. 598.

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a first magistrate, invested with prerogatives, such as were supposed to belong to a king of England in the best times. He was desirous of rendering this system perpetual. He was also desirous of perpetuating this magistracy in his lineal descendants. He thought it high time to put an end to a government *ad interim*, and to quiet the public mind by establishing a rule of as immutable character, as the constitution of human nature and human society would admit.

Writs issued for a general election.

The resolution for calling a new parliament appears to have been taken in May or June[h]. The writs were dated on the tenth of July. The day fixed for its meeting was the seventeenth of September[i].

Expectations excited.

As the day of election approached, both parties, the friends of what they called the Good Old cause, and the supporters of the protector, shewed

[h] Thurloe, Vol. V, p. 149, 176. In this last place, in a letter to Henry Cromwel, Thurloe says, "His highness and the council have some time since agreed to call a parliament, but, it being put under strict secrecy, I could not communicate it. On Thursday last [June 26] the secrecy was taken off." The fact however was stated in a letter by Thurloe to admiral Montagu on the tenth of June, with the addition that it was the unanimous resolution of the council. Carte, Original Letters, Vol. II, p. 109, 110. The earliest trace I have been able to find of it in the Council Books is on the eighth of July. It has already appeared [See above, Vol. III, p. 172], that these books do not contain all the information that might have been expected from them.

[i] Public Intelligencer, July 14. Mercurius Politicus, July 17.

1656. Englands Remembrancer, a republican tract.

themselves greatly in earnest as to the representatives that should be chosen. A well written tract was printed and dispersed by the republicans about the end of July or the beginning of August, entitled Englands Remembrancer, or a Word in Season to all Englishmen respecting the Ensuing Elections. In this piece the protector was treated with very little ceremony. The object was to convince the friends of the writer's principles, that it was their duty not to remain neutral.

Maintains that the electors, by exercising their privilege, do not pledge themselves to the present government.

It may be, he says, that some of you may be afraid to vote in the choice of your deputies, lest you should seem to approve the power of the protector, so called, because the choice is appointed by his writs. But let them consider that the right of electing representatives did not derive from him. By the old constitution the king had the power of appointing the period of electing and assembling parliaments; but the right to be thus represented was prior to, and independent of the king. If a thief prevents you from going to your own house for a time, and afterwards bids you go home when you please, would any of you scruple to go home, because the thief had previously exercised a power to which he had no right? A second objection started, is, we dare not have a hand in the choice of a parliament, for fear they may take away the liberty of conscience in worshipping God, which we enjoy under the protec-

nor endanger the liberty of conscience now established.

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tor. In answer to this the author bids them go on confidently in the discharge of a known duty, and entertain no apprehension, if they give their votes for honest representatives, but that God will take care for the issue. He concludes, What shall I say more to you, dear Christians and countrymen? Do not the tears of the widows, and the cries of the fatherless speak? Do not your imprisoned friends speak? Do not your banished neighbours speak? Do not your infringed rights speak? Do not your invaded properties speak? Do not your often affronted representatives, who have been trodden upon with scorn, speak?

Urges them to strenuous exertions.

Great pains were taken by the government to suppress this paper; and they tried to discover the author and publishers, but in vain. One witness said, it was thought to come from Vane[k]: but it certainly was not his.

Pains taken to suppress this tract.

One measure to which Cromwel had recourse at this period demonstrated his apprehensions; at the same time that it to a very small degree answered the purpose for which it was called into play. He summoned Bradshaw, Vane, Rich and Ludlow, to appear before the council[l]. Bradshaw was ordered to be dismissed from his office of chief jus-

Bradshaw, Vane, Rich and Ludlow called before the council. They are ordered to put in security.

[k] Thurloe, Vol. V, p. 342.

[l] Ludlow, p. 568. These summonses are not recorded in the council-books.

tice of Chester [m]. The others were called on to give security that they would not act against the

[m] Order Book, Aug. 1. Ludlow says, he was required to take out a new commission for his judicial appointment, which he refused to do; adding that he held the place by a parliamentary grant, *quamdiu se bene gesserit*, and that he was ready to submit to a trial by twelve Englishmen, even of Cromwel's own choice, whether he had discharged the trust reposed in him with integrity. It does not appear that a successor was ever appointed; and it is therefore probable, that he was admitted *sub silentio*, to continue to discharge the functions of his office.

There were scarcely any of the republicans who did not in some degree temporise under the protectorate of Cromwel. Vane kept himself proudly aloof from all subserviency to the usurper. Yet we have seen, that even he, in his tract of the Healing Question, speaks of the army, as "now under the command of an honest and wise general," and suggests that "no just exception could be taken, if it should be agreed to place that branch of sovereignty which chiefly respects the execution of the laws, in the hands of a single person." Bradshaw had accepted a commission from Cromwel, continuing him in his office of chief justice of Chester (Order Book, Feb. 21, 1654), and was contented in Cromwel's first parliament with supporting an amendment, that "the supreme legislative authority shall be in the parliament of the people of England, and a single person qualified with such instructions as that assembly should authorise (See above, p. 117, *et segg.*)." Harrison and Rich were in the small, but illustrious band of republicans, who never compromised their dignity by the smallest token of submission or deference to the present chief magistrate. Unyielding virtue, like theirs, extorts from us an almost involuntary approbation; but, in the mixed transactions of life, we are compelled to accommodate ourselves to circumstances, to take the best that can be had, and, where we cannot realise our abstract ideas of right, to endeavour to improve, to render more tolerable and beneficial, the institutions that actually exist.

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government, which was done for Ludlow, but declined by the other two [n]. Okey and admiral Lawson were also ordered to be proceeded against [o].

Proceedings against Vane.

The case of Vane is entitled to particular notice. His high spirit recoiled from the arbitrary proceeding of being summoned, absolutely, and without cause shewn, to appear before the council. He had, a short time before, been second to no man in the island, and in reality the principal director of the councils of the commonwealth. No man was ever more deeply imbued with a republican spirit; and his high rank and ample fortune had not exactly prepared him to be commanded by any one. He had now spent some years in retirement, and kept aloof from all cabals and private consults and disquisitions in political matters. His principal family-seat was Raby Castle in the bishopric of Durham; but his more favourite residence appears to have been at Belleau in the county of Lincoln [p], where this summons, dated on the twenty-ninth of July, reached him on the fourth of August. It was couched in the most unceremonious form, without the word "sir," or any term of address in the beginning; and the

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[n] Ludlow, p. 575.

[o] Thurloe, Vol. V, p. 317. In a letter to Montagu, dated August 28, he says, "Lawson, Okey, Lyons, Rich, Lea and Portman are apprehended." Carte, Original Letters, Vol. II, p. 111.

[p] See above, Vol. III, p. 439, note.

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1656. Firmness of his demeanour.

mandatory clause was expressed simply in the phrase, "You are to attend [q]."

The summons bore that Vane was to appear before the council on Thursday, the twelfth of August; but, in a note to the president, he stated, that it would be impossible for him to be in town till some days later. On the fourteenth he sent a message, signifying that he had that evening arrived at his house at Charing Cross, and was ready to appear, when sent for [r]. His attendance was not required till the twenty-first; and he appears to have been merely questioned as to the authorship of the tract, entitled A Healing Question, which he admitted to be his. An order was then made, in these words: "Sir Henry Vane having this day appeared before the council, and they having taken consideration of a seditious book by him written and published, entitled A Healing Question, &c, tending to the disturbance of the present government and the peace of the commonwealth, Ordered that, if he shall not give good security in bond for five thousand pounds by Thursday next [in the warrants of September 4, entered in the council-books, it stands Tuesday], to do nothing to the prejudice of the present government and the peace of the commonwealth, he

[q] Proceeds of the Protector (so called) and Council against sir Henry Vane, p. 1.

[r] Ibid, p. 2.

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shall stand committed [s]." Upon this order being sent to him, he wrote for answer, that he could on no account comply with what was required, and by his own act do that, which might blemish or render suspect his innocence, and the goodness of the cause for which he suffered. He further says, "I am well content to take this as a mark of honour from those who sent it, and as the recompence of my former services:" adding, "I cannot but observe in this proceeding with me, how exactly they tread in the steps of the late king, whose design being to set the government free from all restraint of laws as to our persons and estates, and to render the monarchy absolute, thought he could employ no better means to effect it, than by casting into obloquy and disgrace all those who desired to preserve the laws and liberties of the nation." He concludes, "It is with no small grief to be lamented, that the evil and wretched principles by which the late king aimed to work out his design, should now revive and spring up under the hands of men professing godliness [t]."

Healing Question published with licence.

In the course of this letter he takes occasion to state, that this tract of the Healing Question had been given in manuscript to one of the members of the council for inspection, and had remained in

[s] Ibid. There is no trace of this in the Order Book under the date of August 21.

[t] Ibid, p. 3.

their hands nearly a month, when it was returned to him without comment, sent to the press in the usual way, and published with the customary permission [u].

He is sent prisoner to Carisbrook Castle.

Fourteen days were suffered to elapse, before a warrant was made out, directing the serjeant at arms to apprehend Vane, and conduct him to the Isle of Wight, and another to the governor of the island to receive him as a prisoner, and not to suffer any one to speak to him but in the presence of an officer [x]. He was sent to the island on the ninth of September, and committed to Carisbrook Castle [y], the very prison in which Charles the First had been confined during the last year of his life.

The ground of his imprisonment was the publication of this tract.

Henry Cromwel describes Vane as one of the most rotten members of the community [z]. Such was not apparently the opinion of the protector. He pays a high compliment to his victim, at the same time that he casts a burning disgrace on his own government, when he fairly states the tract in question as the sole ground for taking the author into custody, and sending him into confinement in the southernmost point of England [a]. It was

[u] Ibid, p. 4.

[x] Order Book.

[y] Mercurius Politicus, Sept. 11.

[z] Thurloe, Vol. IV, p. 509.

[a] In the mean time it is to be remembered, that, though the innocence of Vane was clearly recognised in the warrants for his imprisonment, yet these were not intended to be public, and that

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clearly confessing, that they had no charge against him, that his conduct had been altogether irreproachable, and that he was placed under restraint for an unlimited time, for having given his advice to his countrymen and their governors at a most critical period, in a style of exemplary temperance and sobriety. What must be the government of a country, when the first men in it are liable to such treatment, and no other accusation is pretended to be brought against them!

Imprisonment of Rich and Harrison.

At the same time that Vane was sent to Carisbrook, Rich was also imprisoned at Windsor, and Harrison at Pendennis Castle in the county of Cornwal [b].

Royalists arrested.

Acting still on the same principle of overawing his antagonists, Cromwel sent to the Tower, a few days before the meeting of parliament, several known royalists, lord Willoughby of Parham, lord Tufton, colonel John Ashburnham, sir Robert Sherley, Sir Luke Fitzgerald, and seven more [c].

Arbitrary conduct of Cromwel.

In reality Cromwel and his council had made so abundant use of this power of arbitrary imprisonment, that they had become utterly insensible

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by the newspapers, which merely announced his deportation, their readers were left to make their own conclusions as to his guilt. It is singular that the imprisonment of Rich and Harrison, to whom some activity among the malcontents was imputed, is passed over by the news-writers in silence.

[b] Thurloe, Vol. V, p. 407. Ludlow, p. 569.

[c] Public Intelligencer, Sept. 15.

to the character to which such a proceeding is justly entitled. They imprisoned men on suspicion or without suspicion, often by way of precaution only, and set them at liberty when they pleased, or retained them as long as they pleased, without once recollecting that they committed an offence for which they owed a severe account to the community. Cromwel seldom imprisoned any person for a length of time, who was not vehemently suspected of correspondence with the exiled family, and of intending to excite war and rebellion against the government; and this may be admitted for a palliation, but a palliation only. The imprisonment of Vane and others, without an imputation of cabal and conspiracy, is not less incompatible with all sound principles of civil government, because the time they were held in durance was short. No man should be placed under confinement but in order to a legal trial, unless in case of actual insurrection or invasion.

CHAPTER XIX.

PREPARATIONS FOR INVADING ENGLAND FROM THE COAST OF FLANDERS.—MEETING OF PARLIAMENT.—EXCLUSION OF ONE HUNDRED MEMBERS. — THEIR REMONSTRANCE. — BILLS ASSENTED TO.—MONTAGU JOINED WITH BLAKE IN THE COMMAND OF THE FLEET.—CAPTURE OF THE GALLEONS FROM THE HAVANNAH.

BOOK IV.

1656. Hostile disposition of the court of Madrid. Application made to them by the levellers, and by Charles the Second.

PREVIOUSLY to the meeting of parliament many things occurred, which were calculated to excite the vigilance of Cromwel, and to convince him that his government was not placed in a situation of absolute security. No sooner had the question of peace and war with Spain been fully decided, our attack on her West Indian possessions become known in Europe, and the Spanish ambassador had withdrawn, than the government of Spain was solicited, both by the levellers in England, and the ministers of the exiled king, to engage its countenance and aid to overturn the throne of the protector. For some time the levellers seemed to have gained most attention from the court of Madrid[a]. One of the most active instru-

Scaby.

[a] Clarendon, Vol. III, p. 583.

ments in this negociation was colonel Edward Sexby.

1647. His character.

This man had been originally one of the agitators in the year 1647, and was a determined republican. He appears to have been a person of considerable abilities and great address. Cromwel had entertained much partiality for him; and, at the period we have referred to, he is said to have been frequently the bed-fellow of his illustrious commander; a familiarity into which this great man at that time often admitted those in whom he had special confidence, with whom he could converse with less constraint and interruption in those hours[b]. Sexby was adjutant-general in Cromwel's army, and commanded the forlorn hope, at the battle of Preston[c].

Is intimate with Cromwel.

1654. Becomes his adversary.

But, when he saw that his leader plainly aspired to usurp the first magistracy of his country, the same sentiment, which had before been the foundation of his partiality to Cromwel, now made him his determined and irreconcilable foe. The active hostility of Sexby appears to have commenced about the same time as that of Overton. He entered into various consultations with Wildman, Lawson, Okey and Alured, and during the summer of 1654 travelled into the counties of Hampshire, Warwick and Somerset,

His travels in England.

[b] Burton's Diary, Vol. I, p. 333. Clarendon, Vol. III, p. 640.

[c] Clarendon, State Papers, Vol. III, p. 274.

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1654. in prosecution of his object, being judged to be the best qualified to bring persons of various sentiments and tempers to concur in his views. In particular he visited in this circuit lord Grey of Groby and sir Arthur Haselrig[d].

1655. Goes over to the continent

On the detection of Wildman's preparations in the beginning of the following year, Sexby went abroad. One of the companions of his expedition was Richard Overton, formerly a confederate with John Lilburne[e], and probably brother to the colonel in Scotland. Sexby felt a confidence, that he and the associates he had left behind in England were powerful enough to overturn the government of the protector; but, like a true politician, he was desirous to have as much support from all quarters as he could, to reinforce him in his perilous undertaking. He foresaw that there would speedily be war between Spain and England.

His negociations at Brussels.

He therefore immediately repaired to Brussels, and had a conference with Fuensaldagna, commander in chief of the Spanish army in the Netherlands, to whom he boasted of the power and resources of his party in England, and undertook to shew of how much advantage it would be to Spain to make common cause with the malcontents.

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[d] Thurloe, Vol. VI, p. 829. See above, p. 164.

[e] See above, Vol. III, p. 52. Thurloe, Vol. VI, p. 831. Clarendon, State Papers, Vol. III, p. 277.

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He said, that he could dispose of several strong garrisons in England, and of a considerable part of the army and navy. He demanded from Spain an advance of one hundred and fifty thousand pounds to enable him to carry on the enterprise, which sum might be laid up in reserve at Dunkirk, to be brought into use as occasion should require. He frankly declared himself a republican; but said it was the object of his friends to call a free parliament, who would infallibly invite Charles the Second, and that then that prince might resume the sceptre, provided he would be content to be subject to the laws, and not their master, and would give up episcopacy and certain other points, which would never be endured in England[f].

1655. Proposes an invasion.

Fuensaldagna sent forward Sexby to Madrid, where he was received in an encouraging manner[g], but nothing specific seems to have been resolved on during the year 1655.

Sexby at Madrid.

In the beginning of the following year Charles the Second, who had resided for the last eighteen months at Cologne, undertook to open a negociation with the Spanish government at Brussels; and, his overtures being favourably received, he proceeded with two or three attendants to the neighbourhood of that city to forward the al-

1656. Treaty between Spain and Charles the Second.

[f] Clarendon, State Papers, Vol. III, p. 272, 273, 277.

[g] Ibid. Thurloe, Vol. VI, p. 831.

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Preparations to invade England.

liance[h]. A treaty was secretly concluded in April, by which the court of Spain engaged to supply him with six thousand men for the invasion of England, and to grant him a pension of seven thousand pounds *per annum* for the subsistence of himself and his court, and half as much to the duke of Gloucester[i]. They further encouraged him to raise four regiments from among his own subjects, the colonels of which were the marquis of Ormond, the earl of Rochester, lord Wentworth, and viscount Newburgh of the kingdom of Scotland[k]. From this time Charles the Second and his retainers took up their residence at Bruges[l], ten miles from Ostend, the principal sea-port of Flanders.

English regiments raised by the exiles.

Charles fixes his residence at Bruges.

Sexby in England.

Things being thus far in forwardness, Sexby was sent over to England by the Spaniard about the beginning of June, to prepare the way for the invasion, and to ascertain what was now the inclination of the army and the people to receive and welcome the invader[m]. He remained undetected in England for several weeks. His report was that

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[h] Clarendon, Vol. III, p. 582, 583.

[i] Clarendon, p. 583, 584, 606. Thurloe, Vol. IV, p. 714, 722, 743; Vol. V, p. 55, 207.

[k] Clarendon, p. 607. A different account is given of the commanders in Thurloe, Vol. V, p. 351: but the account of Clarendon is here preferred.

[l] Clarendon, p. 583, 584.

[m] Thurloe, Vol. V, p. 100, 319, 362.

a great part of the army, a considerable number of the ships of war, and the whole body of the country, whether English, Scots, or Irish, would declare in favour of the invaders immediately upon their landing; and he further promised them a castle and a harbour where they might make their descent, at no great distance from London[n]. He desired to be trusted with the command of one thousand foot, and four or five hundred horse, to be employed separately on the eastern coast, to profess a design on republican principles only, and, when Cromwel was destroyed, and not before, to enter into coalition with the royalists[o].

Vigilance of Cromwel.

Such was the state of preparation abroad some time before the assembling of parliament. Cromwel had minute information of what was going on from Lockhart and others, and seems daily to have looked for the bursting of the storm, which had been so long in preparation. It appears to have been in a great measure the embarrassment of the finances of Spain, which delayed the government of that country in performing the specious promises they had made to the exiles[p]. But a still stronger reason is to be found in the awe which the character and talents of Cromwel inspired into all foreign states, the discipline and

[n] Ibid, p. 319, 319. Clarendon, State Papers, Vol. III, p. 311, 315.

[o] Clarendon, State Papers, p. 311, 312, 315.

[p] Clarendon, Vol. III, p. 606.

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prowess of the commonwealth-army, and the unparalleled vigilance and ability with which the affairs of England were at this time conducted.

Parliament meets.

The day on which the parliament met was the seventeenth of September, and on that day, the members being summoned to the Painted Chamber,

Speech of the protector.

Cromwel addressed them in a speech, more than usually incoherent, perplexed and verbose. He spoke at great length of Penruddock's rising, of the general insurrection which had been planned at that time, of the design for seizing the person of Monk, and of Wildman's declaration. He mentioned a plot which had been formed at that time for surprising him as he lay in his bed at Whitehall, and another for blowing up the apartment in which he slept, but expressed himself respecting them with contempt[q]. He said that Spain was our capital enemy, while with the rest of the world we were at peace. Spain had at all times been our adversary since the reformation, and had employed all kinds of hostility against queen Elizabeth, not excepting repeated projects for her assassination. He spoke of the recent alliance they had formed with Charles Stuart, and the prepa-

[q] Whalley, in the debate on Thurloe's communication of the assassination plot, Jan. 19, 1657, affirmed that colonel Overton had been party to a project for assassinating the protector in January 1655. Burton's Diary, Vol. I, p. 356, 357. And Cromwel appears to refer to the same project, in what he says on the subject in this speech.

rations they had made for invading these realms. He exhorted the parliament to prosecute the war against Spain with vigour. He spoke of the finances, and mentioned that he had reduced the one hundred and twenty thousand pounds *per* month formerly appropriated to the maintenance of the army and navy, first, to ninety thousand pounds, and then to sixty. He descanted on the good effects which had arisen from his appointment of the major-generals, which, he said, had been successful, first, for suppressing vice and profligacy, and next, for establishing an unusual internal tranquillity. He was earnest in recommending the toleration of all conscientious Christians, presbyterians, independents, anabaptists, however they might differ in inferior matters, applauded the measures that had been adopted for removing scandalous ministers, and urged the public maintenance of a preaching ministry, by tithes, or some less exceptionable method, and a reform of the law, particularly of the criminal law, comprehending a reduction of the number of offences to which capital punishment was awarded. He referred to the prisoners detained in the Isle of Wight, Cornwal, and other places, and said that their detention had been found necessary for the public safety[r]. The speech however contained

[r] British Museum, MSS, Additions to Ayscough, No. 6125. A copy of this speech is given in Burton's Diary, Introduction, p. 148 to 179.

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no allusion to the change of government, which was no doubt already in contemplation. Cromwel was desirous of seeing in what manner the parliament would proceed upon general subjects, before he entered upon this critical topic.

Purposes of Cromwel.

After all the manœuvres that the protector and his myrmidons had employed on the subject of the elections, he speedily felt that he could not command a majority such as he desired, among those that were elected. He believed that at such a time as this nothing must be left to hazard. The threatened invasion was by no means to be despised, comprehending as it did the regiments of Charles, the cabals of the levellers, and the auxiliaries that were to be drafted from the Spanish army in the Netherlands. He knew that the levellers were familiar with projects of assassination, and that they aspired to imitate the action of Brutus in the death of Cæsar. He resolved to omit nothing that should render his government strong in its construction, and decisive in its proceedings. Add to which, it was his unalterable purpose, to use this parliament as an instrument, for placing his authority on an unequivocal basis, and founding a system of mixed monarchy, which might bid fair to descend to the latest posterity.

Manœuvre employed by him.

Stimulated by all these views, he determined on a measure, one of the most violent and extraordinary that is any where to be found in the annals of history. By the instrument of the Govern-

ment of the Commonwealth it was directed, that the clerk of the commonwealth should certify the names of the members returned, to the council, and the council examine whether they were such as were agreeable to the qualifications[s]; plainly signifying, whether there were among them any, who had assisted in the civil war against the parliament, or in the rebellion in Ireland. Accordingly in the last parliament, each member had obtained, and produced at his entrance into the house, a ticket, signed by the clerk of the commonwealth, declaring that he was chosen agreeably to the writ, and approved by the council: and this proviso does not appear at that time to have been made the occasion of abuse[t].

Exclusion of one hundred members.

It was otherwise now. About one hundred members were refused this ticket, and the proscription fell upon many of the most eminent men in England. Among them were the earl of Salisbury, sir Arthur Haselrig, sir Henry Mildmay, sir Anthony Ashley Cooper, Thomas Scot, Thorpe, late one of the judges of the common pleas, serjeant Maynard, John Weaver, Alexander Popham, Chaloner Chute, and four out of the six members for the city of London. Officers were placed at the door of the parliament-house, who, when the members repaired to their own house after hearing the speech of the protector,

[s] Article 23.

[t] See above, p. 115.

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refused admission to such as could not produce the required ticket.

1656. Sir Anthony Ashley Cooper passes over to the opposition.

Sir Anthony Ashley Cooper had been one of the members of Cromwel's council appointed by the instrument of government in December 1653, who were to hold their places, *quamdiu se bene gesserint*. We are wholly uninformed from what circumstance it arose, that he ceased to be actually a member of the council. That he did so, is entirely in correspondence with the fickleness and versatility of his subsequent life. He must doubtless have been a man of considerable talents; but the instability of his conduct, and the crookedness of his politics were such, that he ultimately ceased to command the respect of any of his contemporaries [u]. His name appears for the last time in the books of Cromwel's council on the twenty-eighth of December 1654 [x].

Comparative view of the sitting members and the excluded.

To give a just idea of the mutilated state of the representation it is proper to state, that of the seven members for the county of Hertford the whole were rejected, of the thirteen for Essex five, of the eleven for Kent seven, of the eleven for

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[u] See above, Vol. I, p. 439, note.

[x] Cromwel was authorised by the Government of the Commonwealth, to increase his council to the amount of twenty-one: but he never added any to the original number, except colonel Humphrey Mackworth, who defended Shrewsbury against Charles the Second in 1651, and who died 26 December 1654, Nathaniel Fiennes, and the earl of Mulgrave. See above, p. 22.

Devon five, of the ten for Lincolnshire six, of the ten for Suffolk six, of the ten for Norfolk five, of the ten for Wilts four, and of the nine for Sussex five[y]. Of the representatives to the amount of about one hundred that were rejected, seventy-three were knights of the shires. Cromwel, for obvious reasons, did not venture to issue a new writ of election in the room of any one of these. It is not easy to conceive a greater mockery of a parliament: and, whatever palliations may be urged for what was done, from considerations of the public welfare, yet certainly, in point of form, it does not fall short of the most arbitrary measure that ever was imagined[z].—As soon as the

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[y] In this reckoning are included the representatives of the different cities and boroughs, that were called to send members to parliament.

[z] There was also, in all this, it is to be feared, something of the principle of Drawcansir: "And all this I can do, because I dare (Rehearsal, Act 4)." Cromwel was a man of wonderful intrepidity; and he delighted to indulge himself in the exercise of this characteristic quality. He was probably the man who had first contemplated the bringing the late king to the block: he had felt a singular gratification in the idea of mounting the throne in his room; for this had never been done by any private man in England. It was the same feeling, that led him to disperse the Long Parliament in a single day, and lock up the chamber in which they had sat. And now it was on the same principle that he reduced at a single blow the present parliament of four hundred and sixty members to three hundred and sixty by his fiat, striking off all those that threatened to be most hostile to his projects, and reducing the representatives of the people of England to

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members had withdrawn to their own house, they chose Sir Thomas Widdrington for their speaker[a].

1656. Excluded members apply for redress.

The day following, a letter was read from the excluded members; and the clerk of the commonwealth in chancery was summoned, to give an account of the matter complained of[b]. He said, that he had received an order from the council to make out certificates for such persons only, whose names were returned to him by the council as persons approved[c]. The council being again called on to give their reason for the selec-

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a tame collection of men, that he perhaps thought he could direct as he pleased. He loved to tread on the verge of the impossible, to do that which, before the experiment, would be deemed too bold for fiction. And by the astonishing and unparalleled resources and combinations of his mind, he made things easy and smooth and unconvulsionary in the passage, from the contemplation of which the nerves of any man that ever lived, himself excepted, would have shrunk.

This feature in the mind of Cromwel is precisely of the same nature as one of the most common phenomena in intellectual history. There is in men, and even in children, a singular pleasure annexed to the mere exercise of power. It multiplies the existence of the agent, and brings home to him the consciousness that he is, and that he is the spring and original of effects. Children in particular will often be led into the manifestation of power, purely from the complacence they feel, while thus assuring themselves of their own efficiency and importance. It is the love of importance that frequently leads the child to destroy his property, or to torment the brute; and it was the love of importance in a different degree, that helped to determine Cromwel in the case we are here recording.

[a] Journals. [b] Ibid. [c] Ibid, Sept. 19.

tion that had been made, lord commissioner Fiennes answered, that, by the seventeenth article of the Government of the Commonwealth, it was directed, that the persons who should be elected to serve in parliament should be such, as were of known integrity, fearing God, and of good conversation, and that the council, in the exercise of their discretion, had not refused to approve of any that appeared to them to fall within this rule. By this answer the government plainly added duplicity and insult to the arbitrary conduct of which they had been guilty. The house, having taken these preliminary steps, came to a vote, one hundred and twenty-five to twenty-nine, that the excluded members should be referred to the council for redress of the injury of which they complained [d].

It is refused.

This vote had no sooner been given, than the persons aggrieved signed and published a remonstrance to the nation respecting the treatment they had received. The letter to the speaker appears to have had only sixty-five signatures [e]; but the remonstrance seems to have been subscribed by every one of the excluded members.

Their remonstrance.

[d] Ibid, Sept. 22. Clarendon has, with superlative ignorance and inattention, stated, that Cromwel imposed a test upon the members, and that those who were refused admission, were excluded because they would not subscribe this test. Vol. III, p. 587. The same error occurs in Perfect Politician, Davies, Florus Anglicus, Roger Coke and Rapin.

[e] Journals, Sept. 19.

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Refers to former proceedings on the subject.

The remonstrance stated that, when our ancestors in parliament had found oppression and tyranny too strong for them to subdue, they had often made their protestations and forewarned the people of their danger. The remonstrators referred particularly to a protestation of the third parliament of the late king (March 1629), in which they had declared that whoever should advise him to levy tonnage and poundage, not being granted by parliament, should be accounted a capital enemy, and whoever paid the tax a betrayer of the liberties of England.

Vehement language adopted by them.

They go on to say, that the rumour has doubtless gone through the nation, that a considerable number of the members chosen by the people to represent them in parliament have by force of arms been excluded from the place of their sitting. But they express their fear, that the slavery, rapines, cruelties, murders and confusion, comprehended in that one horrid fact, have not been so sensibly discerned, and so much laid to heart, as the case required: and they doubt not but, as the manner of the man had been, that the name of God and religion, and formal fasts and prayers, will be made use of to colour over the blackness of the deed.

Severity of their censures.

They proceed therefore to remonstrate, that, by the fundamental laws of the nation, the people ought not to be bound by any laws, but such as have been freely consented to by their deputies in

parliament, and that by preserving this principle the good people of England have beyond the memory of any record retained their estates, their families and their lives, which had else been destroyed at the will of every tyrant.

Paramount authority of the parliament of England.

They add, that the parliament of England, consisting of the people's chosen deputies, have always been, and ought to be, the ordainers and creators of dignities, offices and authorities within this nation, and have of right exercised the power of disposing even of the kingly office, and of enlarging or restraining the kingly power, and have questioned, censured, and judged even the persons of our kings, by which means the highest officers and the kings themselves have acknowledged their power to be only intrusted to them for the nation's welfare, while the kings feared the people's complaints in parliament, well aware that it was their custom to choose for their deputies the most known champions for their liberties; and none of the kings in their highest attempts at tyranny having even dared to throw aside by force as many of the chosen members as they thought would not serve their ends, till the time of the present protector.

Iniquity of the protector's proceeding.

But they observe, that the chief magistrate now in office, declares that his proclamations shall have the force of laws, and takes upon himself to be above the people of England, and to censure the

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whole or any part by no other rule than his own pleasure. Doubtless, if he had conquered the nation, he yet could not but know that the right of the people's deputies in parliament would remain good against him, as against a public enemy, unless, by some agreement with the people in parliament, he were admitted to some sort of governing power; nor could he be discharged from the character of a public enemy, by any agreement with a part of the people's deputies, while he shut out another part.

Advisers of the measure denounced.

The remonstrators therefore conclude with protesting, first, that whoever had advised or assisted the protector in excluding a part of the people's deputies, was a capital enemy to the commonwealth; and they quote the instance of judge Tresilian under Richard the Second, who was executed at Tyburn for advising the king to dissolve the parliament. Secondly, that all such members, as should sit, act and vote in the name of a parliament, while many other legal members were shut out, were to be accounted betrayers of the liberties of England, and adherents to the capital enemies of the commonwealth.

together with the members who should continue to act as a parliament.

Daring character of this protestation.

There is an ambiguity in the question of this remonstrance. If it be genuine, and it were actually signed by upwards of ninety members who were excluded from their seats, it exhibits a degree of courage that is worthy of admiration. It

sets the existing government of the country at defiance, and goes the length of affirming that any laws made by the parliament as then constituted would not be valid. This, under the government of so resolute a man as Cromwel, was surely a bold step. We may also observe upon it as something extraordinary, that the whole, or nearly the whole of the excluded members, should have been endowed with this degree of courage and nerve. There were undoubtedly heroic spirits among the republicans; but that all these men, not connected by previous association, but arbitrarily picked out by the government, should have been of that stamp, is more than could have been expected.

Singular forbearance of Cromwel.

Upon the same principle, if we admire the courage of the remonstrators, we shall find something still more extraordinary in the conduct of Cromwel. His situation was in the utmost degree hazardous. He was the commander of the army: but what an army? An army in the highest degree disciplined; but accustomed to think for themselves, and composed, in great part, of anabaptists, fifth-monarchy men, and rigid republicans. He led them by the string of only a hair. He could rely on them no further, than he could convince their judgments. He had a parliament for the greater part directed by him. But the remonstrance itself seemed to unsinew this parliament, and to shew that they had no right to de-

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cide for the people of England. In this situation Cromwel held it the wiser course to pass over the remonstrance in silence. By meddling with its authors, he might chance to bring a nest of hornets about him, whom it would be more easy to rouse, than afterwards to reduce to inoffensiveness and inaction. They had been guilty of what he might call high treason [f]. But he could not proceed against ninety persons of this station in society at once. And it would be scarcely less hazardous to select from them a few. In this situation he held it more magnanimous, as well as more politic, not to hear their outcries and their exclamations. He was not a man to be run away with by his passions and his resentments. He was stung to the quick with their reproaches and accusations. But he drew round him the robe of his design and his purposes, and passed along through the midst of them.

Authenticity of the remonstrance questioned.

There is some reason however to doubt whether this remonstrance is exactly what it purports to be. It is given at length by Whitlocke, with all its supposed signatures annexed to it. He has even placed it under the date of the twenty-second of

[f] Twelve bishops had been impeached of high treason in December 1641, for a similar proceeding (See above, Vol. I, p. 70); and one of the most fatal measures of Charles the First was his proclamation, June 20, 1643, declaring that the assembly sitting at Westminster was not a free parliament, and that their proceedings were consequently void (Ibid, p. 114).

September, the very day that the parliament rejected the application of its excluded members. Echard has quoted it as genuine. But it is not mentioned by Clarendon, nor Ludlow, nor in a piece, entitled, a Narrative of the Late Parliament (so called), drawn up at the time. It was not published. The copies were secretly packed up in boxes, perhaps a thousand in a box, that they might be clandestinely dispersed [g]. Colonel Herbert Morley denies for himself, and his kinsman, Fagg, who were joint members for the county of Sussex, that they had subscribed it [h]. Probably, by whomsoever it was composed, the writer took the liberty, without authority, of annexing all the names of the excluded members, as nearly as he could collect them. Be that as it will, it is no doubt framed with no less judgment than severity.

Hardiness and despotism of the conduct of Cromwel.

This was probably the most hazardous and arbitrary of all the proceedings of Cromwel. To exclude from the legislature one hundred of its members, the legality of whose election was not disputed, and thus to create an artificial majority subordinate to his purposes, was a measure that nothing could justify. Yet there were many high-minded and honourable men that still adhered to him: Montagu, afterwards earl of Sandwich, Howard, afterwards earl of Carlisle, Broghil, Desborough, Whalley, and many others. There were

[g] Thurloe, Vol. V, p. 456.

[h] Ibid, p. 490.

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also many that took a part in this parliament, such for example as Whitlocke and Widdrington, with a perfectly neutral mind, but who, being public men, acted under the government, because it was the government. But those first mentioned, were stimulated with a spirit of enthusiasm, were animated with an unbounded admiration and attachment to the person of the protector, and could scarcely persuade themselves that any thing could be ill, which he approved.

Four bills received the protector's assent.

Two of the earliest bills introduced into this parliament, were one for renouncing the pretended title of Charles Stuart, and another for the security of the person of the protector. These bills, with a third for taking away the court of wards, received Cromwel's assent on the twenty-seventh of November[i]. But, previously to their being tendered to him for that purpose, a further bill was brought in, and passed through all its stages in one day, purporting, that the passing these bills should not terminate the present session; and it was ordered that this bill should first be presented to the protector for his assent[k]. The parliament also voted its approbation of the war with Spain, and resolved that a declaration should be prepared, shewing its justice and the necessity of its being prosecuted[l].

Approbation of the war with Spain voted.

Relaxation of hostilities.

The war with Spain had somewhat languished,

[i] Journals. [k] Ibid, Nov. 27. [l] Ibid, Oct. 1.

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since the period when Cromwel emitted his manifesto, asserting the validity of his complaints against that power, in October 1655 [m]. From the time of his expedition against the piratical states of Barbary, Blake had been ordered to cruise off the bay of Cadiz, to intercept the commerce between Spain and her settlements in South America. But small success had attended his enterprise. He continued in this station during the winter. Meanwhile, partly from the tediousness attendant on his employment, and partly perhaps that the energy of his character never felt satisfied but when he was engaged in some daring and brilliant enterprise, Blake sent word home, that he found his health declining under the constant exertions demanded from him, and requested that some other officer should be joined with him to share the labours and responsibility of his task [n].

1656. Blockade of Cadiz.

The person fixed on by Cromwel for this end was Edward Montagu, afterwards earl of Sandwich, one of the many distinguished characters which this eventful period of English history brought forth to the eye of the public. At eighteen years of age he commanded a regiment of his own raising in the service of the parliament [o], and appeared with honour in the battle of Marston Moor, when he was nineteen [o], and again at

Montagu joined with Blake in the command.

[m] See above, p. 217. [n] Clarendon, Vol. III, p. 586.

[o] Collins, Peerage of England, art. Sandwich.

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the victory of Naseby [p], and the reduction of Bristol [q], when he was twenty. He was one of the council of state chosen by Barbone's parliament in July 1653 [r], and was appointed by the Government of the Commonwealth in the December of that year a member of the council which was given to Cromwel in his protectorate, and who were ordained to hold their office by a permanent tenure, *quamdiu se bene gesserint* [s]. He appears to have received his commission to command the fleet stationed off Cadiz, jointly with Blake, in the January of the present year [t].

Naval proceedings.

Notwithstanding all the vigilance exercised by these commanders, the Plate fleet from South America entered the bay of Cadiz in safety in March [u]; but it did not turn out so rich as was expected [x]. Disappointed of their prey in this instance, the admirals consulted respecting an attack upon the Spanish fleet lying in the bay of Cadiz, and upon the fortress of Gibraltar, but gave up both as not to be attempted [y]. Meanwhile they stood over for the coast of Africa, to demand redress for some injuries received from the piratical states [z].

Marquis of Vaydes returns to Europe.

About the beginning of September, Blake and

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[p] Rushworth, Vol. VI, p. 42, 43.
[q] Ibid, p. 83, 85, 86.
[r] See above, Vol. III, p. 538.
[s] Ibid, p. 595; Vol. IV, p. 22, 31, 32.
[t] Thurloe, Vol. IV, p. 443, 458, 521.
[u] Thurloe, Vol. IV, p. 641, 643, 647.
[x] Ibid, p. 714.
[y] Ibid, Vol. V, p. 67, 68, 69, 134.
[z] Ibid, p. 171, 195, 285.

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Montagu repaired, with the principal part of the fleet, to the coast of Portugal, to take in water, leaving captain Stayner with six frigates to block up the port of Cadiz. Precisely in this interval arrived a Spanish fleet from the Havannah of uncommon wealth. On board was the marquis of Vaydes, with his wife and seven children, the eldest, a daughter, contracted to the son of the duke of Medina Celi, and the youngest not more than a year old [a]. At his father's death he had succeeded to a ruined fortune; but by the favour of the court he had been appointed governor of Chili, where he remained nine years, and afterwards viceroy of Peru, in which station he had continued fourteen years. Having accumulated an ample fortune, he was now returning to enjoy his wealth and honours in his native land [b].

Engages the English fleet.

As he approached the shores of Europe, he anxiously enquired into the state of the war between Spain and England. The answer he received from the captain of a Portuguese ship of which he made prize, was, that the English had blockaded the port of Cadiz for a considerable time, but that about a month before, the fleet of king Philip had come out of the port, attacked them, and treated them so severely, that they had found it necessary to retreat into their own

[a] Ibid, p. 400, 434.

[b] Ibid, p. 433.

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harbours [c]. Encouraged by this intelligence, his squadron approached the English frigates without apprehension, and at a little distance mistook them for Spanish fishing-boats. Night came on; and the hostile fleets sailed for some hours in company, without alarm on the part of the newly arrived [d]. But they were fatally taught the error into which they had fallen. The engagement on the part of the marquis's vessel continued for six hours. One hundred and ten men were killed on board; and at length the ship took fire, whether occasioned by the English or the Spaniards was never ascertained [e]. His wife and eldest daughter fell into a swoon, and, together with one of the sons, perished in the flames. The marquis had an opportunity to escape: but his high-wrought feelings at view of so tragic a catastrophe, rendered the thought loathsome to him; and he voluntarily became the victim of a fate, which had taken from him objects so inexpressibly dear [f].

Fatal termination of the affair.

Extraordinary value of the capture.

The Spanish fleet consisted of eight ships; four of them ships of war, the others merchantmen. The admiral, which was not one of the largest, escaped into Cadiz. The vice-admiral, on board which was the marquis of Vaydes and family, was set on fire and sunk; but not till the

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[c] Thurloe, Vol. V, p. 400.
[d] Ibid, p. 334.
[e] Ibid, p. 400.
[f] Ibid, p. 400, 433.

English had taken out of her much gold and silver. The rear-admiral, containing two millions of pieces of eight, and another, were taken. Of the rest, two were burned, one sunk, and one escaped[g]. Cromwel resolved that this fortunate event should make a suitable impression, and accordingly caused the silver which was taken to be landed at Portsmouth, carried by land in many waggons to London, and so conveyed through the city to the Tower, where it was immediately coined into English money[h]. The protector, in proof of his liberality, treated the survivors of the family of the viceroy with much attention, and sent them home to Spain without ransom[i].—The news of this success reached London on the second of October, about a fortnight after the meeting of parliament[k].

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[g] Ibid, 399, 400.

[h] Clarendon, p. 586. Ludlow, p. 560. The amount of the capture was estimated at five millions of pieces of eight. (Thurloe, Vol. V, p. 400.) The value of each of these pieces was rated at about a dollar, or four shillings and three pence three farthings of English money. Taken at this rate, five millions of pieces of eight are worth upwards of one million sterling; and the weight of the silver will be about one hundred and fifty tons. It is computed that, in a journey, fifteen hundred weight is as much as a horse can be expected to draw; and of consequence three tons is a burthen sufficient for four horses. Proceeding on this datum, one hundred and fifty tons would require two hundred horses to convey them, and allowing six horses to a waggon, there would be required about thirty-four waggons.

[i] Warwick, p. 383. Bates.

[k] Journals. On this occasion Waller, who had produced his

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celebrated Panegyric on Cromwel in 1654, addressed to him a congratulatory copy of verses, which concludes thus:

"Let the brave generals divide that bough,
Our great Protector hath such wreaths enow:
His conquering head has no more room for bays.
Then let it be, as the glad nation prays;
Let the rich ore forthwith be melted down,
And the state fixed by making him a crown:
With ermine clad and purple, let him hold
A royal sceptre, made of Spanish gold."

CHAPTER XX.

MULTIPLICATION OF RELIGIOUS SECTS. — RANTERS. — QUAKERS.—GEORGE FOX.—JOHN ROBINS.—JOHN REEVE.—LODOVICK MUGGLETON. —JOHN TAWNEY.—JAMES NAYLOR.—HE IS BROUGHT BEFORE THE PARLIAMENT.—JOHN BIDDLE.

1656.

A MEMORABLE circumstance which occurred early in the present parliament, was the treatment of James Naylor, a quaker. He was a disciple of George Fox, the founder of the quakers, and in great esteem among his fraternity.

James Naylor.

It was unavoidable, in a state of so great political convulsion, when the old distinction of orders in the state was so memorably shaken, and when at the same time the community was so extensively penetrated with fervent and enthusiastic sentiments of religion, that many new and extravagant sects should have arisen to disturb the ecclesiastical arrangements which had previously been established.

Multiplication of sects.

Among them, as William Penn states, in his Brief Account of the Rise and Progress of the People called Quakers, was a party, "called Seekers by some, and the Family of Love by others,

Seekers: Family of Love.

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who were accustomed to meet together, not formally to preach and pray, at appointed times and places, but who waited together in silence, till something arose in any one of their minds, that savoured of a divine spring. Among these however some there were, who ran out in their own imaginations, and brought forth a monstrous birth. These, from the extravagance of their discourses and practices, acquired the name of Ranters. They interpreted Christ's fulfilling the law for us, as a discharge from any obligation or duty the law required from us, inferring that it was now no sin to do that, which before it was a sin to commit; the slavish fear of the law being taken off, and all things that man did being good, if he did them with the mind and persuasion that it was so[a]."—We have already spoken of the offence given by this sect to the more sober and well conducted Christians, and the law that was made for the suppression of their practices[b].

Ranters.

1646. Quakers.

In the midst of these dissentions and divisions of one body of Christians against another, arose a sect which was destined to a more permanent duration, called Quakers. The founder of this sect was George Fox, a man born and bred in the lowest ranks of life, and who, if he had attained the art of penmanship, had however made small

George Fox.

[a] Penn's Works, Vol. I, p. 864.

[b] See above, Vol. III, p. 507.

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progress either in fair writing or correct orthography. His birth is dated in 1624; and he had already begun his ministration as an instructor of others in 1646[c].

Tenets of the quakers.

The tenets of his sect were of a peculiar sort; innocent in themselves; but, especially in their first announcement, and before they were known as the characteristics of a body of men of pure and irreproachable dispositions, calculated to give general offence. They refused to put off their hats, or to practise any of the established forms of courtesy, holding that the Christian religion required of its votaries that they should be no respecters of persons. They opposed war as unlawful, denied the payment of tithes, and disclaimed the sanction of an oath. They married in a form of their own, not submitting in this article to the laws of their country[d], and pronounced of baptism and the Lord's supper, that they were of temporary obligation, and were now become obsolete[e]. They wore a garb of peculiar plainness, and were the determined enemies of the institution of priesthood.

Commencement of Fox.

Fox himself was a man of a fervent mind, and, though little indebted to the arts of education, had a copious flow of words, and great energy in

[c] Fox, Journal, p. 1, 17.

[d] Penn, Vol. I, p. 867, 868, 869.

[e] Ibid, Vol. II, p. 786.

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1646. inforcing what he taught. His first discourses were addressed to a small number of persons, who were probably prepared to receive his instructions with deference. But, having passed through this ordeal, he in the year 1647 declaimed before numerous meetings of religious persons, and people came from far and near to hear him[f]. Penn says[g], that the most awful, living, reverent frame of mind he ever saw in a human being, was that of Fox in prayer; and Fox, speaking of a prayer he poured forth in the year 1648, informs us[h], that to all the persons present the house seemed to be shaken, even as it happened to the apostles in their meetings immediately after the ascension of Christ. The course he pursued was such as came to him by impulse at the moment, without premeditation; and he felt impelled to resort to courts of justice, crying for an impartial administration, and exhorting the judges to a conscientious discharge of their duty, to inns, urging the keepers to discountenance intemperance, and to wakes and fairs, declaiming against profligacy. He came into markets, and exhorted those who sold to deal justly; he testified against mountebanks; and, when the bell rang for church, he felt it striking on his heart, believing that it

1647. His eloquence.

1648.

Applies himself to all classes of the community.

Opposes the established worship.

[f] Fox, Journal, p. 6, 7, 13.
[g] Vol. I, p. 882.
[h] Journal, p. 15.

called men to market for that precious gospel, which was ordained to be dispensed without money and without price[i].

1648.

Going on a Sunday to Nottingham, and beholding from the top of a hill the steeple of the great church, he hastened thither: he felt that it was required of him to testify against the idol-worship which the congregation was carrying on; and, interrupting the preacher, he exclaimed, Oh, no; it is not the scripture, but the holy spirit, by which men of God first gave forth the scripture, whereby all doctrines, religions and opinions are to be tried[k].

1649. Interrupts the preacher.

It was impossible that he could go on in this course without molestation. In the midst of his discourse at this time, the officers laid hold of him, and put him into a filthy prison. At night he was brought before the mayor and aldermen; but they returned him to the place of his confinement. At another place he was severely beaten, and set in the stocks. At Derby he was convicted of blasphemy before two justices of the peace on the late act against atheistical and execrable opinions[l], and sent for six months to the house of correction. At the end of that time they endeavoured to make him a soldier, and even offered him a commission; but, he refusing the overture

Is taken into custody.

Set in the stocks.

Convicted of blasphemy.

1650.

[i] Journal, p. 25.
[k] Ibid, p. 26.
[l] See above, Vol. III, p. 507.

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1650. Makes many converts.

as incompatible with his religious opinions, they removed him to the common jail for six months more[m]. Meanwhile, wherever he came, he converted the jailor and many of his fellow-prisoners, and, by the fervour of his discourses, and the irreproachableness of his manners, commanded general respect. Penn tells us that he was particularly favoured by the indulgence of Bradshaw, Fell, a Welsh judge, whose widow he afterwards married, and other pious and considerable persons[n].

Favoured by Bradshaw and others.

1651. His proceedings at Litchfield.

Fox relates of himself, that, coming one day near the ancient city of Litchfield, he was painfully struck at the view of the proud spires of the place, and felt impelled to pull his shoes from off his feet, and traverse the town in every direction, crying in extasy as he went along, Woe, woe, to the bloody city of Litchfield! Having thus obeyed the suggestion of the spirit, he began to ruminate on what he had done, and was particularly at a loss to know how the place had merited the title of "the bloody city:" when at length it occurred to him, that under the emperor Diocle-sian, about the year of the Christian era 300, there had been a cruel persecution against the professors of the true faith, one of the principal scenes of which had been at Litchfield, and that

[m] Journal, p. 42, 46, 53.

[n] Works, Vol. I, p. 880.

for that reason he had been inspired to denounce retribution to the inhabitants of this devoted city[o], 1350 years after the offence. 1651.

Moderates his violence.

Fox appears to have corrected himself in the progress of his apostleship, and, instead of rudely interrupting the preacher in his discourse, as he had done at Nottingham, to have waited quietly till the sermon was finished, before he addressed the congregation. Then in one instance, he bespoke the officiating clergyman in the words, Come down, thou deceiver[p]! It will easily be imagined in what style such a mode of proceeding would be regarded. In no civilised country would it be allowed, that, in an edifice appropriated to religious worship, an unauthorised stranger, even after the service was concluded, should take advantage of the circumstance, that an assembly of men and women were drawn together according to the rules prescribed for religious ceremony, to stand up, and address that assembly with the design of bringing into contempt the modes of worship they were observing.

His offensive proceedings.

1653. He is threatened with death.

At Carlisle, in the year 1653, this plan of proceeding on the part of this celebrated reformer, produced a desperate riot, probably in the cathedral church of the city. Fox was in consequence led out of the church, and committed to jail. They talked of nothing less than bringing him to

[o] Journal, p. 53, 54.

[p] Ibid, p. 56.

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1653. trial for his life[q]; and the adherents of the public religion were so exasperated, that the high sheriff at the assizes said, that he would with pleasure conduct the offender to the place of execution. He was not however tried: and Fox says, that the parliament, hearing that there was a young man to be put to death for the sake of his religion, caused a letter to be written to the sheriff and magistrates on his behalf[r]. This fact however rests on no other authority.

1654. He is brought prisoner to Cromwel at Whitehall.

In the following year, it being understood that Fox was expected to address a numerous assembly at Whetstone, near Leicester, the celebrated colonel Hacker sent for him, and simply required of him that he would go home to his residence, and not attend the proposed meeting. Fox refused. Then, said Hacker, I must send you up to London in custody, to the lord protector[s]. He was accordingly brought into the presence of Cromwel at Whitehall. Cromwel reproached him, that he seemed to have declared war against the regular clergy. Fox answered, that all Christendom had the scriptures, but that those who preached were for the most part unaided by the power and spirit which had ani-

[q] Journal, p. 110.

[r] Ibid, p. 113. There is an improbability in the whole story. The parliament which was sitting at this time, was distinguished by a spirit of intolerance, and had ordered in a bill against the quakers.

[s] Ibid, p. 186.

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mated the holy men of God who first put forth the scriptures. He expatiated with that zest and unction upon true religion, and a holy and disinterested zeal for its cause, with which he was so remarkably endowed; and the protector, who had been accustomed deeply to interest himself in such discourses, was caught by his eloquence. He pressed his hand, and said, Come again to my house; if thou and I were together but one hour in every day, we should be nearer to each other: adding, that he wished Fox no more ill, than he did to his own soul.—In fine, he required nothing more from the apostle, than a written engagement that he would not take up arms against his government; and then set him at liberty[t].

Is dismissed with kindness.

We will dismiss the consideration of this extraordinary personage, with the words with which William Penn winds up his account, which, if not altogether just, are calculated to shew the light in which he was regarded by that eminent man: "Many sons have done virtuously; but thou excellest them all[u]."

His character by Penn.

1650. John Robins.

The quakers, whatever might be their extravagance and fanaticism in other respects, were men of patient character and benevolent dispositions. But there were others, that at the same time that they surpassed them in extravagance, were far from following their example in forbearance and

[t] Journal, p. 138.

[u] Works, Vol. I, p. 884.

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charity. These seem rather to have belonged to the sect of the ranters. The most extraordinary person among them perhaps was John Robins, who appeared in the year 1650. He declared himself to be God Almighty, and some of his followers addressed him in that character, in strains of devotion that were truly astonishing. At other times he affirmed that he was Adam, raised from the dead after a period, according to his computation, of five thousand six hundred and odd years: and, as he had been thus wonderfully restored to life, he was endowed with the faculty of raising others from the dead also. He raised Cain, the first murderer, and Judas, who betrayed Christ; and, their sins being now forgiven them, he pronounced them blessed for ever. He was constantly attended by the persons upon whom he had thus bestowed a second life; and Lodovick Muggleton, to whom we are indebted for his history, tells us that he had himself received under his roof nine or ten of these persons at a time, who owned themselves to be the very individuals who had lived thousands of years before. The followers of Robins, relying on the text which says, "Whatsoever ye shall bind on earth, shall be bound in heaven; and whatsoever ye shall loose on earth, shall be loosed in heaven," assumed to themselves the power of blessing them whom they favoured, and pronouncing solemnly accursed from God those whom they condemned. They professed to have

A pretender to miracles.

He raises the dead.

particularly Cain and Judas.

Attended by a train of dead men restored to life.

Lofty pretensions of Robins and his followers.

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the power, by a clap of their hands, and a stamp of their foot, to destroy all that opposed them: and we are told that Robins frequently exhibited supernatural sights to those he admitted to his presence, angels and serpents, and dragons, and shining lights, and thick darkness, while he himself would be seen, at one time with his head environed with flames, and at another, in person riding upon the winds[x].

1652. Reeve and Muggleton.

Next after Robins, came Reeve and Muggleton, who professed to be the two witnesses clothed in sackcloth, spoken of in the Book of Revelations, of whom it is said that, "if any man would hurt them, fire proceedeth out of their mouth, and devoureth their enemies." They began their ministry in the year 1652[y]. They repaired to Robins, whom they found a prisoner in the New Bridewel, telling him that he was an impostor, and commanded him to desist, on pain of being cursed and damned to all eternity[z]. They imposed a like prohibition upon John Tawney, who claimed to

Their intolerant proceedings.

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[x] Muggleton, Acts of the Witnesses, p. 21, 22.

[y] Ibid, p. 38.

[z] Ibid, p. 45. It is a curious phenomenon in the history of mind, to compare the stupendous miracles related of Robins, with the pusillanimous way in which he almost instantly subsided into obscurity. Muggleton informs us, that, two months after the visit paid by him and Reeve to Robins in Bridewel, the latter sent in his recantation to Cromwel, and was set at liberty.—What were these miracles? By what illusion were they effected?

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be the Lord's high priest[a]. It had been Robins's avowed purpose to gather one hundred and forty-four thousand souls, and lead them to Jerusalem, where they were to be established in prosperity and peace; and Tawney professed to be the Aaron of this new Moses[b]. Reeve and Muggleton were liberal in pronouncing damnation on all that opposed and thwarted them; and this duty they appear to have discharged with such a solemnity and air of authority, as to have produced a striking effect on many of their hearers. Muggleton relates many instances in which, as he says, those whom they cursed never prospered after, and speedily pined away, and died[c]. They wrote letters to several of the most eminent presbyterian and independent ministers in London, telling them that they were not truly called of God, and forbidding them to preach any longer upon pain of eternal damnation[d].

Their insolence.

1653. Convicted of blasphemy.

For writing these letters they were tried at the sessions at the Old Bailey upon the new statute of atheism and blasphemy, before the lord mayor Fowke, assisted by the recorder Steele. This happened in October 1653. They refused all communication with the lord mayor, whom they had already pronounced accursed at their examination when first apprehended, and addressed them-

[a] Muggleton, Acts of the Witnesses, p. 38.
[b] Ibid, p. 21. [c] Ibid, p. 43, 46, 47, 50, 55. [d] Ibid, p. 48.

selves exclusively to the recorder. They received sentence to be imprisoned for six months [e]. Reeve died in 1658; but Muggleton lived till 1698.

1654.

Tawney distinguished himself in an extraordinary way in the year 1654. He advanced to the door of the parliament-house on the thirtieth of December, with a drawn sword in his hand, with which he wounded several persons, having previously burned his Bible, because it was not the word of God. Being taken into custody and examined, he gave in his name Theauro John, that being the appellation which by divine inspiration he was commanded to assume. He further said, that he was inspired by the Holy Ghost to kill every man who sat in that house [f]. Whitlocke calls him a quaker; but that seems to be a mistake.

John Tawney.

1651. Naylor serves in the army.

But the person who made the most memorable figure among the fanatics of the day, particularly for the severity of the punishment he sustained, was James Naylor, already mentioned. He had become a private soldier in the army at the commencement of the war, and was two years quartermaster in general Lambert's troop of horse. In all this time he had conducted himself unblameably, and Lambert entertained a high esteem for him. He was dismissed from the army after nine

[e] Muggleton, Acts of the Witnesses, p. 76, 77.

[f] Journals. Whitlocke, Dec. 30, Jan. 3.

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years' service, on account of ill health [g]. In 1651 he was converted by Fox to the principles of quakerism [h]. In 1652 he appears to have been in Appleby jail, with Francis Howgil, one of their most considerable preachers, probably on a charge of blasphemy [i]. But his principal adventures were in the present year 1656. He was at this time in Exeter jail, where he was addressed by several deluded persons with extravagant and divine titles, as "the Everlasting Son, the Prince of Peace, the Fairest among Ten Thousand [k]." He conceived of himself, that the divine nature, the second person in the trinity, dwelt in him, in a way that had never been exemplified in any human creature since the death of Christ, and encouraged his followers to treat him accordingly. He raised Dorcas Erbery, as she said, from the dead, after she had been two days deceased [l]. When he had been liberated from his confinement at Exeter, he proceeded through Glastonbury, Wells, and other places, this woman and a few others walking before him bareheaded, and strewing garments in his path [m]. His grand entry was at Bristol, where his attendants sang, as he passed along, "Holy, holy, holy Lord God of Israel, Hosanna in the highest [n]."

1652. Turns quaker.

1656.

Divine honours paid to him.

He raises the dead.

His triumphant entry at Bristol.

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[g] Cobbet, State Trials, Vol. V, p. 803. [h] Fox, Journal, p. 54.
[i] Ibid, p. 83. [k] Cobbet, State Trials, Vol. V, p. 830, 831.
[l] Ibid, p. 838. [m] Ibid, p. 819. [n] Ibid, p. 829.

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At Bristol he was committed to prison; and soon after, on the thirty-first of October, a committee of parliament was appointed to consider the information they received respecting his misdemeanours and blasphemies, with power to send for the culprit, and such other offenders and witnesses in the case, as they should think fit [o]. The report of the committee was not made till the fifth of December [p]. In the mean time his followers, and the persons confined with him proceeded in their impieties, sitting at his feet, and singing hymns incessantly, applying to him various scriptures, and among others this from the Song of Solomon [q], "Rise up, my love, my dove, my fair one, and come away! Why sittest thou among the pots [r]?"

Committee of parliament appointed concerning him.

There seems to have been no difference of opinion on the question, that Naylor ought to be made a subject of exemplary punishment. The judgment of many was that he should suffer death: and for this decision, among many others, Skippon, Dennis Bond, Whalley and Goffe declared themselves. The opinion of the two latter appears to have undergone some variation in the course of the debate, which lasted ten days [s].

His punishment debated.

Punishment of death proposed.

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[o] Journals. [p] Ibid.

[q] Canticles, II, 10; with an addition from Psalms, lxviii, 13.

[r] Cobbet, State Trials, Vol. V, p. 815.

[s] Compare Burton's Diary, Vol. I, p. 80, with p. 102, 108.

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Richard Cromwel was understood to be for the severer punishment[t]. On the contrary, almost all the members of council, Lawrence, Lambert, Fiennes, Pickering, Wolseley, Desborough, Strickland, Sydenham and Thurloe, together with Glyn and Whitlocke, spoke for a punishment short of death. Desborough and Strickland were for banishment, and the latter recommended the island of Scilly, where Biddle already was a prisoner.

Question of referring his case to the courts of law.

The idea was suggested of sending him for judgment to the courts below. But this was opposed by all those who were for the judgment of death. The late statute of blasphemy did not admit of inflicting this punishment except on such as returned from transportation[u]. It was taken for granted, that the parliament as then constituted, had all the power which had formerly vested in both houses, and consequently that of life and death[x]. At length on the sixteenth of December the house divided on the proposition whether the question for the judgment of death should be put; and the numbers stood, noes 96, ayes 82[y].

Punishment of death negatived.

Sentiments of Cromwel.

Skippon in the course of his speech brought forward the opinion he had heard from Cromwel, That he had always been for allowance to tender consciences; but that he never intended to indulge such things as were now under trial[z]. This

[t] Burton's Diary, Vol. I, p. 126.
[u] See above, Vol. III, p. 507.
[x] Ibid, p. 339.
[y] Journals.
[z] Burton's Diary, Vol. I, p. 50.

may serve as a clue enabling us to understand the protector's idea respecting toleration. He had always excepted against popery and prelacy. He was the strenuous adversary of every thing that fell within his idea of blasphemy. He was imperfectly inclined to befriend Biddle, the Socinian, though the learning of the man, and his exemplary manners had considerable weight with the generous temper of Cromwel. What he had had at heart was, that presbyterians, independents, anabaptists, and other sects, who agreed in the main in what he regarded as the fundamentals of Christianity, should sit down in friendly communion, and not persecute or hate each other for the minor points in which they differed [a].—The ideas of Milton on this matter seem to have coincided with those of Cromwel.

Severe sentence pronounced upon Naylor.

The main point, whether or not Naylor was to suffer death, being disposed of, the mode of his punishment seems for the most part to have been abandoned to the zeal of the religious. It was therefore ordered that, on the second day after, he should stand in the pillory for two hours, and then be whipped through the streets from Westminster to the Old Exchange, and that, on the fourth day, he should again stand in the pillory at the Old Exchange, and should have his tongue bored

[a] See his beautiful remarks on this point under the allegory of trees, Vol. III, p. 530.

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through with a hot iron, and have the letter B [blasphemer] branded on his forehead. It was also appointed, that he should afterwards be sent to Bristol, and there conveyed through the city on a horse with his face backward, and again whipped; and finally that he should be imprisoned, till released by parliament, being restrained from all society, and kept to hard labour[b]. Lawrence and Desborough objected to the boring his tongue[c]. The second part of his punishment was afterwards deferred from the twentieth to the twenty-seventh[d].

Petition of Sprigge and others.

It is gratifying to record that, between the first and second punishment, a petition was offered by Joshua Sprigge, chaplain to lord Fairfax, and author of the History of his Campaigns, with thirty other persons, praying that the remainder of Naylor's punishment might be remitted[e]. This petition was without effect.

Parliament decides that his condemnation shall not be by bill.

It had made part of the debate in the business of Naylor, whether his punishment should be awarded by the sole authority of the house, or by a bill, which would have required the protector's assent; and the former mode was adopted. Cromwel therefore addressed a letter to the speaker on

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[b] Journals, Dec. 16.

[c] Burton's Diary, Vol. I, p. 153, 154.

[d] Journals, Dec. 20.

[e] Ibid, Dec. 23. Burton's Diary, p. 216, 217.

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the twenty-sixth, in which he stated, that, although he detested and abhorred the giving the least countenance to such practices as those of Naylor, yet, not knowing how far such an assumption of authority on the part of the house might extend, he desired that they would lay before him the reasons of the proceeding they had adopted [f].

Petitions against the quakers.

Petitions were offered to the house, during the pendency of the business of Naylor, from Devonshire, Northumberland, Durham, Cheshire, Cornwal and Bristol, against the practices of the quakers; but they were not permitted to be presented till his sentence had been pronounced. These petitions were referred to a committee [g].

1655. John Biddle.

In the conclusion of this Chapter we may take occasion, from the general coincidence of the subject, once more to mention John Biddle. He was dismissed from prison soon after the rising of Cromwel's first parliament, in the latter end of May 1655 [h]. But he had not been more than a month at large, before he got into a fierce controversy respecting his peculiar tenets with one Griffin, an anabaptist teacher, and they mutually agreed to refer their debate to a public contest, to be held in one of the chapels of St. Paul's ca-

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[f] Journals. Burton's Diary, p. 246. MSS, Additions to Ayscough, No. 6125, p. 284.

[g] Journals, Dec. 18. Burton's Diary, p. 85, 168 *et seqq.*

[h] Bidelli Vita, p. 29. See above, p. 148.

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1655. His dispute with Griffin.

thedral [i]. When the day came, Griffin opened the business, by asking whether any one present denied Christ to be the Most High God? To which Biddle rejoined, I deny it. The whole day was occupied by either party with contending arguments; and the debate was adjourned to another opportunity. But, previously to this second intended meeting, it was contrived by the presbyterians that Biddle should be taken into custody [k], and committed to the Compter, from whence he was soon after removed to Newgate [l]. Here a prosecution was commenced against him upon the obsolete ordinance of May 1648 [m], passed during the reign of the presbyterians, by which it was enacted that those who were found guilty of the heresies therein enumerated, should suffer death without benefit of clergy [n]. This ordinance was supposed to have been superseded by the milder act against blasphemous opinions, of August 1650 [o]. But it might be still a question for the lawyers, whether the former statute did not remain in force. Biddle tendered his bill of exceptions against the indictment; and, after much difficulty, the trial was put off to the next term [p].

He is taken into custody.

Capitally arraigned.

Banished to the isle of Scilly.

Cromwel appears to have been somewhat at a

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[i] Athenæ Oxonienses, Vol. II, p. 304.

[k] Bidelli Vita, p. 32.

[l] Athenæ Oxonienses, *ubi supra.*

[m] Bidelli Vita, p. 33.

[n] See above, Vol. II, p. 254, 255.

[o] Vol. III, p. 507.

[p] Bidelli Vita, p. 34.

loss how to conduct himself on this occasion. He was anxious not to give offence to the presbyterians as a body; and he foresaw that it would be out of his power to control the restless spirit of the Socinian champion while he was at large. An order of council was therefore made on the fifth of October for transporting Biddle to the island of Scilly [q], that by this means the protector might put a stop to the proceedings commenced against him. 1655.

Anecdote of Firmin.

Petitions seem to have been presented both for and against the sufferer while he was in Newgate; and, among others, we are told that Thomas Firmin, then an apprentice, and afterwards one of the most distinguished advocates of the Socinian tenets, adventured personally to solicit Cromwel in his behalf; to whom the protector replied, "You curl-pate boy, you, do you think I will shew favour to a man that denies his Saviour, and disturbs the government [r]?"

Imprisoned for three years.

Biddle was held nearly three years in this confinement. The protector seems to have been attentive to his accommodation, and allowed him a pension of one hundred crowns *per annum* to con-

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[q] Order Book.

[r] Kennet, Register, p. 761. This story seems to be pure invention. Firmin at this time was full thirty-three years of age (see his Life). Nor is there any probability in the idea of an apprentice-boy coming up to the chief magistrate of his country, delivering a petition, and receiving an answer from him by word of mouth.

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1655. tribute to his subsistence [s]. The prisoner boasted that he passed this period of his life in great satisfaction, studying the divine oracles, and composing a commentary on certain parts of the book of Revelations, in confutation of the doctrine of the fifth monarchy, and the reign of the saints on

1658. earth, which was afterwards published [t]. Meanwhile the parliament of 1656, 1657, which was sufficiently disposed to animadvert upon the advocates of heretical opinions, was prevented by his absence from molesting the Socinian champion [u]; and, this danger being supposed to have passed away, Cromwel allowed a *habeas corpus* to be sued out in his favour, in consequence of which he was discharged from confinement by Glyn, chief justice of the king's bench, in April 1658 [x].

He is set at liberty.

1656. Vane and others set at liberty.

On the thirty-first of December Vane was set at liberty from his imprisonment at Carisbrook, at the same time with Christopher Feake [y], who had been under confinement for preaching in the most inflammatory manner against the usurpation of Cromwel. And, a fortnight after, John Rogers, who had been imprisoned for the same offence as that charged against Feake, and judge Jenkins, one of the most undaunted and inflexible of the royalists, were likewise discharged [z].

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[s] Life of Firmin, 1698, p. 10.
[t] Bidelli Vita, p. 37 to 40.
[u] Ibid, p. 38.
[x] Ibid, p. 38, 39, 40.
[y] Public Intelligencer, Jan. 5. Cromwelliana, p. 160.
[z] Mercurius Politicus, Jan. 15.

CHAPTER XXI.

BILL FOR A TAX TO BE RAISED ON THE ROYALISTS DEFEATED.—PLOT FOR ASSASSINATING CROMWEL.—DEATH OF SINDERCOMBE.

1656. Bill for the support of the militia.

On the twenty-fifth of December leave was given to bring in a bill of supply for the maintenance of the militia, to be raised from the property and estates of such persons as had borne arms against the parliament[a]. The purpose of this measure was to sanction the decimation of the preceding year, and by consequence the appointment and authority of the major-generals. It was strongly argued against from the arbitrariness of the proceeding. It was time, its adversaries said, to unite the nation into one body, and to apply ourselves to the extinction of party. An act of oblivion had passed. It was a thing unheard of, and would be a national disgrace, to violate an act of parliament. If any had offended since the act, let them be punished. Let them lose all; but let not the innocent be mulcted for the offences of others. Above all, let not a proceeding of this sort be committed to the discretion of military

It is opposed.

[a] Journals.

BOOK IV. 1656. officers, nominated by the executive government. The speakers for the bill were Fiennes, Lambert, Strickland, Sydenham, Pickering, and the most considerable of the members of Cromwel's council. The most eminent of the speakers against it, was Whitlocke. The first reading of the bill was on the seventh of January [b].

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Cromwel wavers respecting it.

Cromwel however, with his usual sagacity, began to apprehend, that this bill, instead of strengthening his government, would have rather an opposite effect. He was anxious to place his authority on the most substantial foundation, and for that purpose judged that it would be his wisdom to abandon the major-generals and their violent jurisdiction, which had been erected for a temporary purpose. It was no doubt in pursuance of this design, that Claypole, who had been several years married to Cromwel's favourite daughter [c], and was now master of the horse to the protector, stood up early in the debate of January the seventh, and urged his objections to the bill. He said, he did but start the game, and must leave it to others more experienced than he, to follow in the chace. He should therefore only say, that to violate the act of oblivion, as by this bill was proposed, was a proceeding that should never have his approbation. He had believed,

Claypole argues against it.

[b] Burton's Diary, Dec. 25, Jan. 27.

[c] Noble, Protectoral House of Cromwel, Vol. II.

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that, in the situation in which the nation then stood, the commission and measures of the major-generals were necessary; and they ought therefore to be indemnified. But to turn such proceedings into a law, was an affair of a very different sort; nor could he admit that the authority which had been given to these officers, was fit any longer to be continued[d].

It is defended by Lambert.

The debate which followed was unusually long and obstinate. It continued for ten successive days[e]. Lambert and the major-generals were strenuous in supporting the measure[f]. At length, on the twenty-first, colonel Henry Cromwel, grandson of sir Oliver Cromwel, the elder brother of the protector's father[g], rose, after Boteler, one of the major-generals, had finished his speech in favour of the bill, and replied with great smartness. He observed, that the last speaker, as well as several that had gone before him, had argued that, because some of the cavaliers had done amiss, all ought to be punished. By the same rule, said the young debater, I may infer that, because some of the major-generals have done ill, of which I offer to produce the proofs, all of them ought to be visited with the censure of this house.

Speech of Henry Cromwel, cousin to the protector.

Kelsey, who probably held himself to be parti-

Altercation.

[d] Burton's Diary, p. 310, 311. Ludlow, p. 581, 582.
[e] Journals, Jan. 7, 8, 12, 19, 20, 21, 23, 27, 28, 29.
[f] Burton's Diary.
[g] Noble, Vol. I.

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cularly aimed at, immediately called the speaker to order, and insisted upon it that he should name the persons whom he charged as offenders. The colonel declared his entire readiness to do so, and that he seconded the proposition of the major-general. It was however determined to put off this question till the end of the debate, that the main business might not be interrupted[h]. A similar scene passed with another member on the following day[i].

Interview of Henry Cromwel and the protector.

Meanwhile it was intimated to the young man, that he should rue the attack he had made, and that he would find the protector, his kinsman, greatly offended with his forwardness. The colonel, we are told, thus rebuked, immediately repaired to his highness, and avowed what he had said, holding forth documents in his hand to justify his assertions. Cromwel in return reproached him between jest and earnest with the rashness of his conduct; and, in the close of the interview, pulled off a rich scarlet cloak he happened to wear, and presented it with his gloves to the adventurous youth. The next day Henry Cromwel came down to the house, wearing the tokens of his triumph, to the great satisfaction and delight of some, and trouble of others[k].—In fine, the bill was rejected on the motion for the second read-

The bill is rejected.

[h] Journals. Thurloe, Vol. VI, p. 20.
[i] Journals.
[k] Thurloe, Vol. VI, p. 21.

ing, by a majority of one hundred and twenty-four to eighty-eight[1].

1657. The invasion postponed.

The threatened invasion, which Cromwel had dwelt on in his speech at the opening of the parliament, had for various reasons been suspended. It was an undertaking of serious import, and could not hope to be attended with success, unless every preliminary step was managed with the nicest observation, and the whole affair conducted with exact judgment and concert.

Assassination of Cromwel designed to precede it.

One of the points upon which the levellers, the court of Spain, and we may doubtless add the royalists attendant on Charles the Second[m], most relied, was the assassination of Cromwel. The whole system of the present government of England was bound up in the life of the protector: and, if he were by any unexpected stroke removed, and if the different parties that were

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[1] Journals, Jan. 29. The exceeding familiarity of Cromwel's manner on certain occasions, was a prominent feature of his character. He delighted to unbend, and indulge himself in a playful vein. Whitlocke relates that, when the question of his taking the title of king was debating, he would sometimes shut himself up with the memorialist, Broghil, Pierrepoint, Wolseley and Thurloe, for three or four hours at a time, and advise as to the then state of public affairs, and the resolution to be adopted—then suddenly turn to divert himself, to make extemporary verses with his counsellors, and insist upon each of them trying his hand in turn—and afterwards fall again upon the business of the state, and determine upon the most serious results. Whitlocke, May 2.

[m] Clarendon, State Papers, Vol. III, p. 325.

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prepared to land on our shores, could effect their purpose nearly at that moment, they were not disposed to doubt of a prosperous success. Who was there, in the shock of two so alarming events, to take upon himself the direction of affairs? All would be anarchy; the vessel of the state would be without a pilot; and the men who had foreseen, and had themselves produced the crisis, would be able to direct the issue of events at their pleasure.

Sindercombe.

Sexby, who had been in England in the preceding summer, seems to have been the principal person employed to set this business afoot[n]. Next to him in the affair, was Miles Sindercombe, who, Sexby having passed over to join his friends in Flanders, was relied upon to conduct this first and indispensible step in the undertaking, in person. Sindercombe had been a quarter-master in Monk's army in Scotland, and had been disbanded on account of his concern in colonel Overton's plot[o]. He, as well as Sexby, had been deeply penetrated with the principles of republicanism. —It appears however that there was a considerable deficiency either of determination or contrivance in the proceeding; and the whole affair, after having been several months in agitation, was rendered abortive.

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[n] Clarendon, State Papers, Vol. III, p. 325.

[o] Thurloe, Vol. V, p. 774. Mercurius Politicus, Jan. 22.

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On the nineteenth of January, Thurloe, the secretary of state, laid before parliament the particulars he had collected respecting the conspiracy. Sindercombe and two others were already in custody[p]. The first attempt was designed to have taken place on the day of the meeting of parliament[q]. Three or four times Sindercombe and his colleagues had been on the road, with the intention to dispatch Cromwel as he went to Hampton Court. They hired a house at Hammersmith, for the purpose of shooting him from a window as he passed in his coach. And, lastly, they laid combustibles and a train of gunpowder, to fire the chapel at Whitehall. This last project was detected the very day it was to have been executed[r]. Sindercombe was brought to his trial before chief justice Glyn and a London jury on the ninth of February, and, being ordered for execution on the fourteenth, was found dead in his bed on the night preceding. A coroner's inquest sat on the body; and, a verdict being returned of *felo de se*, he was buried, according to the forms prescribed by law in such cases, on Tower Hill[s].

Thurloe's report on the subject.

Death of Sindercombe.

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[p] Burton's Diary, p. 355.

[q] Clarendon, State Papers, Vol. III, p. 325. Thurloe, Vol. V, p. 777.

[r] Journals, Jan. 19. Thurloe, p. 774, *et seqq.* Burton's Diary, Vol. I, p. 332, 354.

[s] Mercurius Politicus, Feb. 12, 19. Cobbet, State Trials, Vol. V.

CHAPTER XXII.

PROJECT ENTERTAINED FOR RENOVATING THE OLD CONSTITUTION OF GOVERNMENT.—FOR CONFERRING ON CROMWEL THE TITLE OF KING.—FOR REVIVING THE INSTITUTION OF TWO HOUSES OF PARLIAMENT.—AND FOR SECURING THE INTEGRITY OF THE REPRESENTATIVE SYSTEM.—IT IS COUNTENANCED, WITH SINISTER VIEWS OR OTHERWISE, BY THE ROYALISTS.—IT IS FAVOURED BY THE LAWYERS.—AND BY THE PRESBYTERIANS.—AND FINALLY ADOPTED AND CONCURRED IN BY CROMWEL.—IT IS DISAPPROVED BY THE REPUBLICANS.—AND BY THE OFFICERS OF THE ARMY.

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1657. Humble Address and Remonstrance brought forward.

In the course of the month of February a totally new scene is opened upon us. On the twenty-third, sir Christopher Pack, who had been lord mayor of London in the year 1655, submitted to the house a bill, entitled, The Humble Address and Remonstrance of the Knights, Citizens and Burgesses assembled in Parliament, which was immediately ordered to be taken into consideration[a]. Whitlocke had previously been desired

[a] Journals.

to be the person to offer this business to the attention of the house, but had declined the office[b]. He refused to be the mover of the question, but readily consented to support it in its principal features.

Its proposed object.

This measure had its origin in the ambition of Cromwel, and the suggestions of the lawyers. Its object was, as far as might be practicable, to bring back the old constitution of government, under a new line of kings.

Favoured by the lawyers.

Men, educated to the profession of the law, will always have a strong partiality to the forms handed down from our ancestors. It had been continually urged by the race of lawyers at this time existing, that the office and name of a king were every where interwoven with our old institutions, and that, unless our whole scheme of legislation were changed, the course of affairs could never run smooth, till that office were restored. It was an easy and obvious measure in the present state of affairs, to alter the race and blood of those who in succession should inherit the throne.

Presumed forfeiture of the house of Stuart.

It was the opinion of the republicans, the adherents of the Long Parliament, and the supporters of Cromwel, that the family of Stuart, by their multiplied delinquencies, and their inexpiable war against the liberties and wishes of the people, had forfeited all pretensions to the crown. No alternative

[b] Whitlocke, May 1.

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therefore remained, but the establishment of a pure republic, or the placing a new family on the throne, from whom better hopes of a conduct congenial to the enlightened state of the public mind, and to the present temper of a great portion of the inhabitants of the soil, might reasonably be entertained.

Arguments in favour of kingship.

The arguments in favour of royalty were many and striking. An act had passed in the reign of Henry the Seventh, providing that, whoever should obey or assist the person actually possessing the crown of these realms, and having in his hands the power annexed to the title, should be free from all penalty and forfeiture for so doing: and it was alleged, that Cromwel, and the persons now in authority, were bound to place their adherents under the shelter of this law. It was further remarked, that the prerogatives of a king of England were well known and precisely limited, and that therefore Cromwel, instead of gaining any additional powers by having conferred on him the title of king, would be deprived of the benefit of those ambiguities, under favour of which he might otherwise from time to time incroach on the rights of the people.

A second house of parliament designed.

Another consideration which offered itself to the thoughts of those who looked back to what England had been for succeeding ages, was, that the legislative power had been vested in two houses of parliament, no law being regarded as

having validity and force, until it has received the sanction of both houses, and the assent of the king. It was natural therefore, when the restoration of the old appellation of the chief magistrate was contemplated, to consider how the customary process in the enacting of laws might best be revived.

Integrity of the representative system to be secured.

A third thing, certainly not of inferior magnitude and importance to the other two, was the full and indefeasible claim of the people to the right of being represented in parliament. This right had been trenched upon from various causes since the commencement of the civil war. At that period as many of the members as had thought proper to adhere to the standard of the king, had been prompted to withdraw themselves from the remainder of their body sitting at Westminster; and in the subsequent struggles between the two parties of presbyterians and independents, the number of the representatives assembled in parliament had been still further reduced. The fairness and equality of the representation had been increased by the bill, which had been so long under consideration in the last years of the Long Parliament, and which had been reduced into practice by Cromwel. But the usurper had at two different times invaded the integrity of the representation; first, by calling on all the members to sign a recognition of his authority, previously to their being admitted to their seats in

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1654; and again, in a much more flagrant manner, at the commencement of the present parliament, when it was ordered that no person should be allowed to sit without having previously obtained a ticket of approbation from the council, which was denied to about one hundred members. It was in vain to talk of the English nation as possessing the privileges of a free people, as long as such invasions were liable to be repeated: and it was required by the persons, with whom Cromwel entered into negociation for this renovation of the constitution, that the one hundred members of the present parliament who had been injuriously excluded from the house, should be admitted to their seats.

Readmission of the one hundred members makes a part of the measure.

We possess no information respecting the long and complicated negociation which must be supposed to have preceded the introduction of this measure into parliament; and, which is not less to be regretted, we have no precise narrative of the very interesting parliamentary debates which must have attended its progress[c].

Defective information as to the rise and progress of this business.

Too long had the government of England, and the principles of its political constitution, continued in a loose and fluctuating state, so "that

Importance of the proceeding.

[c] The Diary of Thomas Burton, lately published, breaks off abruptly, 20 January, and is not resumed till the middle of April. All that occurs in it during the interval, is extracts from the Journals, and other public documents, inserted by the editor.

no man knew how to behave himself, to do, speak, or say[d]," who should be desirous of conforming to those principles. The present was the most strenuous effort that was made, previously to the Revolution of 1688, to remedy this grievance. Parties the most opposite to each other had an interest in coming to the good understanding now proposed.

Precariousness of the ground on which the government stood.

Cromwel was clearly hitherto one of the most flagrant usurpers, whose proceedings are to be traced in the records of history. The powers which he possessed, his vaunted instrument, called the Government of the Commonwealth, had originated merely with the council of the officers of the army. Cromwel had for a while been intoxicated with the possession of the supreme executive power, which had fallen to him from the month of December 1653; not to trace it further back to the dispersion of the remains of the Long Parliament in the preceding April. The gloss of novelty was now gone off from his authority. After a possession of more than three years, he became desirous of placing his prerogatives on a more stable footing. The situation of first magistrate was fully in accord with his tastes and dispositions; and he conscientiously believed that England could not be in a more prosperous and happy state than under his rule. He was desi-

[d] Stat. 1 Hen. IV, c. 10.

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rous of governing with the title of king, a title that, time out of mind, had been familiar to the ears of his countrymen. He was desirous of entailing the crown upon his posterity. He was not ignorant that, if he would place his throne upon a secure and permanent footing, he must abstain in future from those glaring and offensive acts of naked power, which he had hitherto occasionally allowed himself to put forth.

Popularity of the present measure.

The other persons with whom Cromwel negociated this renovation of the constitution, were scarcely less eager than he for the permanence proposed. There were but two parties decidedly hostile to it: the more determined royalists, who could not yet give up the hereditary line of the Tudors and Plantagenets, and who regarded with inexpressible horror the man who had imbrued his hands in the blood of Charles the First; and the no less determined and immoveable republicans. All the rest wished to see a full and substantial settlement. They could not deny the talents of Cromwel, and were more or less impressed with admiration and deference for him. They saw that he was in possession of the government; and they did not think themselves authorised, either in morality or patriotism, to plunge their country in a sea of blood, for the sake of any advantage that was likely to result from the contest. Even the presbyterian was fully disposed to submit to the "powers that be;" and

Cromwel had been lavish and indefatigable in courting this party: the ecclesiastical government of the country was substantially presbyterian. Nay, many of the royalists were said secretly to favour the new system. Some even of the most determined adherents of the exiled Charles thought that, the question of a king being once decided in the affirmative, the mass of the nation would in no long time see their interest in returning to the race of the Stuarts.

Stability which the commonwealth-government had acquired.

The great defect of the government of England, ever since the establishment of the commonwealth, was, that the majority of the people were hostile to the ascendancy of their rulers. This disadvantage had been gradually diminishing from year to year. Government is instituted for the protection of the governed; and, as the English executive had been perpetually growing in character, and rising in the respect and estimation of foreign powers, in the same proportion the sentiment of acquiescence, to say the least, with which the inhabitants sat down under the dominion of their rulers, increased. Cromwel had disturbed this process for the moment by his usurpation; but upon the whole as much had been gained as lost by that event. The human mind in its ordinary operation is more prone to admire and honour an individual than a body of men: the English people were better satisfied to look up to Cromwel, than to an assembly of usurping repre-

Solidity of the authority of Cromwel.

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1657. Favourableness of the present crisis.

sentatives, whom they distinguished by the contemptuous appellation of the Rump. It seemed therefore that, by publicly and authentically fixing the system of government at this prosperous crisis, the minority of the governed, who had hitherto adhered to the established authorities, might be converted into a majority, and the people in general might be prevented from looking for some other form, and be induced to regard the scheme of administration under which they lived as solid and permanent.

Auspicious result that was to be expected.

Looking back at this distance of time, we may almost pronounce, that, if Cromwel had continued to govern England with the title of king for ten years from the year 1657, with tranquillity, prosperity and success, his authority and his system of rule would have been too completely fixed, to have allowed of the probability of its being shaken, and the old race of our kings restored. Charles the First had never been a popular sovereign; his infringements on and hostility to the rights of the people had been too multiplied and persevering to be easily forgotten; and no Englishmen felt partial to his memory, except the party of the episcopalians, who were sufficiently willing to hold him in honour as their martyr. Charles the Second, even at this early period, was well known for the profligacy of his character; and the most effective part of the English nation was at this time not less eminent and notorious for sobriety, serious-

ness, and the fervour of their religious impressions. Charles had now lived several years in exile, the dependent and pensioner of the crowns of France and Spain; he was deeply impregnated with the lessons of despotism; reports had from time to time been spread of his being reconciled to the Roman Catholic church. The recollection of his hereditary claims began to sit lightly on the minds of the majority of the people; and it was only the miserable fluctuation and unsteadiness of the government which succeeded shortly after this period, that led back the thoughts of men to a sentiment favourable to him, which otherwise had almost been forgotten.

The proposal favourably regarded by the presbyterians.

The scheme of government brought forward by sir Christopher Pack arose out of a compromise of a thousand discordant feelings. Many concurred in the project, who felt little partiality to the person of Cromwel. They desired to see the government of their country placed on a solid and substantial basis. The presbyterians had small predilection to the Stuarts. Charles the First had been their bitter and irreconcilable foe. Charles the Second had shewn, while in Scotland in 1650, the greatest impatience at being under their yoke: and it was well known, that his most confidential servants would have been as well satisfied that he should never be restored, as that he should not bring back the Elizabethan hierarchy of the church of England along with him. On the other

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hand, if the presbyterians set little comparative store by the race of the Stuarts, they were yet the determined advocates of monarchical government. The presbyterians therefore were a party in some degree concurring with the views of Sir Christopher Pack.

Not entirely suited to the temper of Cromwel.

Cromwel on his part found some things hard of digestion in the proposed scheme. He was the lover of summary measures. His neck did not easily bend to the yoke of control; and he knew that many things might be carried by *coup de main*, by taking men by surprise, and finishing a measure before they were well aware that it was begun, which could never otherwise be carried. He must part now with this his favourite expedient for ever. He was required to restore the hundred members, which a little before he had, by his imperial fiat, excluded from the parliament. The measure of calling a new parliament, to be freely chosen by the suffrages of the people, was the *experimentum crucis*, which, ever since the close of the war, all parties that had been in possession of power had fled from in turn. It was now proposed to be solemnly established as an irrevocable law. This may be regarded as the very pith and kernel of the proposed system.

He resolutely subscribes to it

The restoration of the hundred, discarded, and therefore personally affronted and insulted members, was a most hazardous proceeding. They had a little before set their hands, as far as the

celebrated remonstrance may be considered as theirs, to a paper, charging Cromwel with the grossest tyranny and despotism. But boldness and enterprise made an essential part of his character. He saw that this was a *sine qua non* in the project that had been concerted. He believed, that a prince, who had governed a country for three years with acknowledged talent and uniform success, could scarcely be shaken. Hitherto he had proceeded warily and with caution, accommodating himself to circumstances, and evermore like a politician. This had gained him a name for duplicity, looking one way and rowing another, perpetually [a tender thing[e]] appealing to God, calling Barbone's parliament, calumniating it and its predecessors, and protesting that he had no previous knowledge respecting its abdication. He now chose a different course, and resolved, though late, to appear as the frank and determined statesman, superior to all disguises. He believed himself strong enough to carry through this purpose. He was powerful in resources. He had found by experience, that the vigour of his conceptions, and the unconquerableness of his courage, had enabled him to surmount difficulties, under which perhaps every other statesman that ever lived would have sunk. His caution therefore was dismissed as the twin-brother of coward-

Changes his system of action.

[e] See above, Vol. III, p. 590.

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ice; and it now became his plan, to plunge into the difficulties that stood in his path, without fear, secure that the very circumstance of his apparent remoteness from the harbour of his repose, would supply new strength to his nerves, and enable him to reach it.

It is earnestly disapproved by the republicans,

The great enemies of the project were the determined republicans. From the day that Charles the First had fled from Oxford, and thrown himself upon the protection of the Scottish army, they had entered into a combination, the jet of which was, that there should be no more a king in England. Cromwel and Ireton were for some time the soul of this combination. Bradshaw, and Vane, and Marten, and Harrison, and Haselrig, and a multitude of others, men of the highest character, were among its distinguished and inflexible adherents. They had placed as a motto, in the room of the statue of Charles the First, pulled down at the Royal Exchange, *Exit Tyrannus, Ultimus Regum.* These men became tenfold more the adversaries of Cromwel under the new regimen.

and opposed by the officers of the army. Lambert.

The next party that was most hostile to the proposition of sir Christopher Pack, was that of the officers of the army. Lambert was at the head of this party[f]. He had for some time discovered a growing alienation to the administration of Cromwel. He was thought to have a more

[f] Thurloe, Vol. VI, p. 74, 93.

advantageous claim than any other man to succeed him in the protectorate. He was of course averse to the title of king, which drew along with it, by almost inevitable consequence, the idea of hereditary succession. The majority of the great officers of the army had divided themselves against Cromwel in the question of the major-generals. The protector had given them up, by way of courting favour with the other great interests in the nation. But several of the leading officers of the army, Fleetwood and Desborough among the rest, had accepted the appointment of major-generals. They felt that, while they had incurred abundant odium with the nation at large, they had discharged, to the best of their judgments, a firm and unshrinking duty to their own party and to the government. They therefore conceived a warm and lively indignation against the protector, for having disbanded them in the way in which they had been disbanded.

Desborough.

The major-generals.

These persons appear to have been strenuous in their opposition, from the first introduction of the proposal of sir Christopher Pack. We are told that, with a sort of burst of disapprobation, they forced the proposer from the place where he stood near the speaker, offering his measure to the consideration of the members, and bore him down to the bar of the house [s].

Violence of their demeanour.

[s] Ludlow, p. 584.

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Privy council not advised with.

This circumstance gives us a singular view of the manner in which the measures of government were conducted on the present occasion. It cannot be doubted, that the proposal had been concerted between Cromwel and his most confidential advisers. Yet the persons most forward in their opposition, including Fleetwood, his son-in-law, and Strickland, the late ambassador at the Hague, were members of his little council of sixteen persons. In reality the council had now for some time been accustomed to sit only once or twice a week. There were certain measures which, according to form, were regularly transacted at this board. But it is plain, on this and other occasions, that some of the most important consultations of government were not held in the council-chamber.

CHAPTER XXIII.

ADDRESS OF ONE HUNDRED OFFICERS TO CROMWEL.—COMPROMISE.—REMONSTRANCE CANVASSED, ARTICLE BY ARTICLE.—TITLE OF KING VOTED.—NAME, REMONSTRANCE, CHANGED TO PETITION AND ADVICE.—IT IS PRESENTED TO CROMWEL.—CONFERENCES AT WHITEHALL.—CROMWEL'S SPEECH TO THE COMMITTEE.—HE RESOLVES TO ACCEPT THE CROWN.—PETITION OF OFFICERS AGAINST IT.—THE CROWN IS REFUSED.

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Remonstrance debated, article by article.

THE first idea of Lambert and his coadjutors seems to have been, to cast out this proposition of Pack, at the instant of its announcement. Lord Broghil however and chief justice Glyn opposed this proceeding. They observed that, by entertaining the proposition, the house would by no means pledge itself to adopt the whole; and they strenuously recommended, that it should be examined by parts, and so much only adopted as should on debate be found to express the sense of the assembly [a]. In fact, some settlement of the constitution of government could no longer be de-

[a] Journals, Feb. 24. Whitlocke, May 1. Ludlow, *ubi supra.*

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ferred. It must not be admitted that the fundamentals of the system should rest on the recommendation of the council of officers; but something definite, clear and precise must be determined on by parliament, and receive the express sanction of its authority.

To be considered by the house and not in committee.

On the third day it was resolved, that the bill submitted to their judgment, should not be referred to a committee of the whole house, but examined in its different members, the speaker in the chair. And, according to the mode of the times, a fast was previously to be observed by the legislature, to seek assistance from heaven on the occasion [b].

Address of one hundred officers.

It was at this time that the party of Lambert made a strenuous effort to divert Cromwel from the career on which he was entering. On the twenty-seventh of February, the very day that the house had appointed for a fast, one hundred officers waited on the protector, to intreat him that he would not listen to the idea of administering the executive government under the proposed new title, suggesting that it would not be pleasing to the army, nor to the godly and pious members of the community, that it would be hazardous to his own person, and dangerous to the nation, and was calculated in the result to make way for the restoration of the exiled family [c].

Reproachful answer of Cromwel.

Cromwel is said immediately to have answered

[b] Journals, Feb. 25. [c] Burton's Diary, Vol. I. p. 382.

the officers, in a full and somewhat reproachful harangue. He said that he had been the drudge of the council of the army on all occasions. At their instigation he had dissolved the Long Parliament, and shortly after called a convention of their naming. This assembly would have brought all things into the wildest anarchy, if he had not dissolved them; and, after that event, the officers had urged him to the destruction of the ecclesiastical establishment, and the taking away the revenue by which it was supported. Then came the instrument, called the Government of the Commonwealth, and, in terms of that instrument, another parliament, which had eat five months without effecting any thing. The officers then gave their opinion that the institution of major-generals was necessary; and in the course of the following year had shewn themselves impatient for the calling of the present parliament. His voice had been against it; but to no purpose. He added, that they had not always been averse to the title of king. When the Government of the Commonwealth had first been presented to him, he had plainly been called upon by it to assume the title that was now so obnoxious to them. He alluded to the case of Naylor, as shewing that some such balance, as a house of lords, was necessary, unless they would lay the lives and liberties of all at the foot of the popular assembly. It was time to come to a settlement, that they might at length

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put an end to arbitrary proceedings. As to the title of king, he valued it as little as they did. It was a mere feather in a man's hat. But, if it were necessary in order to place things on a permanent and substantial basis, why should it be objected to[d]?

Compromise.

We have here a new instance of the effect of Cromwel's eloquence, and the power which in personal communication he possessed over the minds of men. It appears that, in the result of this conference, many of the officers gave way to his expostulation, and that, among the rest, three of the major-generals (probably, Whalley, Goffe and Berry) discovered a leaning to the recommendation of the protector. In conclusion an arrangement was made, in pursuance of which the measure was allowed to proceed. It was agreed, that the question of the title under which the executive government was to be exercised, should be postponed till last, and that the parliament should come to a vote that no provision in the bill should be regarded as binding, till the whole had been gone through. In return for these concessions on the part of the protector, the officers consented that the proposition should pass, in virtue of which the present chief magistrate should be authorised to name his successor, and another in favour of the parliament

[d] Burton's Diary, Vol. I, p. 382, *et segq.*

consisting of two houses[e].—The issue of this conference confirmed Cromwel in the resolution of carrying forward the measure, and pursuing his purpose to the last.

Cromwel authorised to declare his successor.

The agreement of the officers at Whitehall was punctually executed in parliament. The first article of the remonstrance consisted of two propositions: the first praying that Cromwel would hold the office of chief magistrate with the title of king; the second, that he would please, during his life-time, to name the person who should succeed him. The first was postponed; the second was immediately adopted[f].

Parliament to consist of two houses.

The second article was, that there should be parliaments once in three years at furthest, to consist of two houses, constituted in such manner as should hereafter be agreed on and declared. This was voted without a division[g].—Previously to this, on the very day after the conference, it was determined, that no vote on any part of the remonstrance should be binding, till all the particulars had been resolved[h].

Integrity of the representation confirmed.

The third article prescribed, that the ancient and undoubted privileges of parliament should be preserved and maintained, and that the chief magistrate should not break or interrupt them, nor suffer them to be broken or interrupted; and, in particular, that those persons who were legally

[e] Burton's Diary, Vol. I, p. 384, 385.
[f] Journals, Mar. 3. [g] Ibid, Mar. 5. [h] Ibid, Feb. 28.

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chosen to represent the people in parliament, should not be excluded from sitting, but by the judgment and consent of that house of which they were members. This was in like manner voted [1].

Constitution of the house of commons.

The fourth article related to the qualifications, either in point of loyalty, or of religion and morality which should be required of members of the house of commons, and to the number and distribution of members of which that house should consist.

Constitution of the other house.

The fifth article directed, that the members of the other house should be in number not fewer than forty, nor more than seventy, that they should be named by the chief magistrate and approved by parliament, and that, upon the decease of any one of them, no new member should be admitted to sit but by the consent of the house of which he was to be a member.

No law to be made but by consent of parliament.

The sixth article ordered, that no new law should be made, nor old one altered, suspended or repealed, but by consent of parliament.

Settlement of the revenue.

The seventh article directed, that there should be an annual revenue of one million for the maintenance of the army and navy, and of three hundred thousand pounds for the support of government, that this should not be altered but by consent of parliament, that such other temporary supplies should be granted as the commons should judge necessary, that there should be no land-tax,

[1] Journals, Mar. 6.

and that no charge or impost should be laid but by consent of parliament. CHAP. XXIII.

The eighth article related to the privy council, and did not materially vary from what had been established under that head in the Government of the Commonwealth. 1657. Privy council.

The ninth article directed that the great officers of state should be approved by parliament. Officers of state.

The tenth and eleventh articles related to religion and toleration, and provided that no persons who acknowledged the doctrine of the trinity, and that the scriptures are the word of God, should be molested in the freedom of their worship, this liberty not to be extended to popery and prelacy. Limits of toleration.

There were seven other articles of less material importance. Other articles.

At length, on the twenty-fourth of March, the house resumed the consideration of the title by which Cromwel was to be invited to hold the office of chief magistrate. After two days' debate it was carried on the twenty-fifth, that Cromwel should be desired to take on him the government with the title of king. The numbers on this occasion stood, 123 to 62 [k]. Title of king voted.

[k] Journals. It is sufficiently curious to remark the extreme reserve with which the newspapers of the times express themselves as to the proceedings of parliament. They simply state in the present instance, that "On the 25th of March the house came to a resolution of great concernment, of which you may expect an account hereafter." Public Intelligencer, Mar. 30. Mercurius Politicus, Apr. 2.

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Name, Address and Remonstrance, changed to Petition and Advice.

The day following, it was resolved to change the title of this instrument from Address and Remonstrance to that of Petition and Advice; and it was further determined that, unless the lord protector should be satisfied to give his unreserved consent to the whole, no part of the instrument should be deemed to be of force and validity [1].

Agreement with the one hundred officers neglected.

In the vote of the twenty-fifth of March Cromwel had virtually exceeded the conditions agreed on in the conference of the one hundred officers. He believed that he had on the day of the conference so far weakened their coalition, that he might venture on the bold step of completing his measure, without consulting them further. Some he had won; he counted upon overawing the rest.

Policy of Cromwel.

One of the steps that he apprehended would be most conducive to the end he had in view, was delay. It was now recorded on the Journals of the house, that this clause should be part of the petition and advice, "that your highness will be pleased to assume the name, style, title, dignity and office of king, and exercise the same according to the laws of these nations." The main step wanting to give this vote a full and unquestionable authority, was the concurrence of Cromwel. The longer it stood unrebuked and unweakened upon the records of the legislative assembly, the more authority it would seem to acquire. Such is the nature of the human mind: that which presents it-

[1] Journals.

self to us uninterruptedly day after day, becomes familiar, and no longer gives a shock to our thoughts. Cromwel had lately been only a brother-officer in the council of the army; he was now written down king; and this would every day become less startling than the day before. He believed he should gradually and insensibly reconcile the minds of the opposers to the change. The present was a season of silence and pause. Silence was favourable to his designs; and he wished to draw out this season for a certain assignable length of time. 1657.

Petition and Advice presented.

On the twenty-seventh of March the house named a committee of sixty persons to attend upon Cromwel, and to desire him to fix a time and place for the parliament to meet him upon a business of high concern. He appointed Tuesday, the thirty-first, at the Banqueting House, Whitehall, when Widdrington, as speaker, addressed him in a long speech in commendation of the measure, after which the petition and advice was read by the clerk of the house [n]. In reply the protector observed, that, of all the things that had befallen him in his public life, the present offer struck him as being of the greatest magnitude, and most worthy of deliberation; and he therefore demanded from them some short time, to ask counsel of God,

Cromwel's answer, desiring time to deliberate.

[m] Journals.

[n] Ibid. Burton's Diary, Vol. I, p. 397, *et seqq.*

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and of his own heart, lest his answer should savour more of the flesh, proceed from lust, and arise from arguments of self, than from those momentous considerations by which he desired to be governed on such an occasion [o].

Shews himself irresolute.

Three days after, Cromwel addressed a letter to the speaker, requesting to be attended by a committee of the house upon the preceding business; and accordingly the committee already appointed, with some addition to its numbers, waited upon him the next day at Whitehall [p]. To them he explained himself in faint and unwilling terms, saying, that he had not been able to find it his duty to God and the parliament to undertake the proposed charge under the title assigned [q]. His partisans immediately understood the cue of such a disclaiming, and moved that the house adhere to the petition and advice they had presented. This resolution was carried on Saturday, the fourth of April, instantly after the report of Cromwel's declining the honour intended him [r].

Parliament persists.

He demands a conference.

On Monday it was voted that the house should repair to the lord protector, to acquaint him with their determination; and on Wednesday, agreeably to an appointment made by Cromwel, this ceremony took place at the Banqueting House in Whitehall [s]. Here the protector shewed himself

[o] Burton's Diary, Vol. I, p. 413, *et seqq.*
[p] Journals.
[q] Burton's Diary, Vol. I. p. 417, *et seqq.*
[r] Journals.
[s] Ibid.

less peremptory, than he had done four days before. He pleaded his infirmities and disabilities, as the reason of his having waived the further honour they had desired to confer on him. Since however the parliament had thought proper to persevere in their proposal, all that was left him was to ask further counsel on the subject; and there was no other quarter from which he could seek it but from the parliament itself. He hoped to be informed a little more particularly of the motives of their determination, than he was by the vote which had just been read. He was desirous of being allowed the liberty to vent his doubts, fears and scruples. He was ready to render a reason of his own apprehensions, which haply might be overruled by better apprehensions. And he hoped that, when he should understand the grounds of these things, something would be fixed on, that might equally fit what was due from the representative body and from himself, and might be adapted to the best advantage of the community at large[t].

Committee appointed to attend him.

On the day following it was ordered, that a committee of the house should without delay wait on the protector, to receive from him his doubts

[t] The report of this speech is given in the Mercurius Politicus of the next day, very contrary to the usual reserve of the newspapers; and the deviation undoubtedly took place, because Cromwel wished the nation to be immediately informed of the present state of the deliberation.

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and scruples, and to offer in return such reasons as might conduce to his satisfaction, and to the maintenance of the resolutions of parliament. The committee consisted of ninety-nine persons, who of course had voted for the title of king, or were known to be favourable in that particular to the tenour of the petition and advice. The list included Whalley, Goffe and Berry, from among the major-generals, and is graced with the name of the poet Waller [u]. The speakers in the conference were Glyn, Whitlocke, Fiennes, Lisle, Lenthal, colonel Jones, sir Charles Wolseley, sir Richard Onslow, and lord Broghil [x]. In the committee of Monday to prepare reasons why the house adhered to their previous vote, the names of Fleetwood and Lambert were, strangely enough, included [y].

Proceedings.

The attendance of the persons appointed to satisfy the scruples of Cromwel was given on the

[u] Journals.

[x] Monarchy Asserted, in a Conference at Whitehall. It is a strange circumstance, that the name of St John is inserted in the title-page to this tract, as one of the speakers, though he was in no way concerned in the affair. The insertion was doubtless made in malice to this eminent person, the tract being published immediately after the Restoration. Who was the publisher is unknown. It is mentioned by Wood under the names of Lenthal, John Lisle, Broghil and Fiennes (Athenæ Oxonienses, Vol. II, p. 309, 338, 455, 638). Not that they were any one of them concerned in the publication, but because speeches made by them successively occur.

[y] Journals.

eleventh, the thirteenth, the sixteenth, the twentieth and the twenty-first of April. It was put aside by Cromwel on the tenth, on the ground of a plot which had just been discovered, and on the fourteenth and seventeenth in consequence of the ill state of his health. On the twenty-third the report was made to the house by Whitlocke, the chairman, of what had taken place in the different conferences [z].

Cromwel's speech to the committee.

In the committee Cromwel appears to particular advantage. He is decidedly the best speaker. His speech on the second day is singularly excellent. Among other things he gives a memorable account of his mode of proceeding in the beginning of the war. "I was a person, that from my first employment was suddenly preferred and lifted up from lesser trusts to greater, from my being first a captain of a troop of horse. And I did labour, as well as I could, to discharge my trust, and God did bless me, as it pleased him. And I did truly and plainly, and in a way of foolish simplicity (as it was judged by very great and wise men, and good men too), desire to make use of my instruments to help me in this work. I had a very worthy friend then, and a very noble person, and I know his memory is very grateful to you all, Mr. John Hampden. At my first going out into this engagement, I saw our men were beaten on

Commencement of his military career.

His proposition to Hampden.

[z] Journals. Monarchy Asserted.

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every hand; and I desired him that he would make some additions to my lord Essex's army, of some new regiments; and I told him I would be serviceable to him in bringing such men in, as I thought had a spirit that would do something in the work. Your troops, said I, are most of them old decayed servingmen, and tapsters, and such kind of fellows; and, said I, their troops are gentlemen's sons, younger sons, and persons of quality. Do you think, that the spirits of such base and mean fellows will be ever able to encounter gentlemen, that have honour and courage and resolution to back them? Truly I presented to him this matter conscientiously, and I did tell him, You must get men of a spirit, (and take it not ill what I say,) that is likely to go as far as gentlemen will go. He was a wise and worthy person, and did think I talked a good notion, but an impracticable one. Truly I told him I could do somewhat in it. And I must needs say (impute it to what you please), I raised such men as had the fear of God before them, and made conscience of what they did; and from that day forward, I must say to you, they were never beaten, and wherever they were engaged against the enemy they beat continually."

His views in the protectorship.

Speaking of his first acceptance of the office of protector, he says, "I was passive to those who desired me to undertake the place. I undertook it, not so much out of the hope of doing any good

(though a man may lawfully, if he deal deliberately with God and his own conscience, desire a great place to do good in), as out of a desire to prevent mischief and evil, which I did see was eminent in the nation. I am indeed ready to serve not as a king, but as a constable. Truly I have thought it often, that I could not tell what my business was, nor what I was in the place where I stood, save comparing it with a good constable, to keep the peace of the parish."

Observations on the kingship.

As to the title of king, he observes, "I must tell you, there are good men in this nation, honest and faithful, and true to the great things of the government, to wit, the liberties of the people, that very generally do not swallow this title; though really it is no part of their goodness to be unwilling to submit to what a parliament shall settle over them. Yet I must say, it is my duty and conscience to desire that no hard things may be put upon them."

Objections against it.

He further remarks, "God hath seemed to lay aside this title providentially. He hath put away a whole family, and thrust them out of the land, for reasons best known to himself, and hath made the issue and close of that to be the very eradication of a name or title. And, when a man comes to reflect and see that this is done, it may have strong impression on such weak men as I am, and perhaps upon weaker men, if there be any such, it may be stronger."

It is a ques-

In fine he observes, that, as to the arguments al-

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leged by the committee for reinstating the title of king, he must take it for granted that they are not necessarily concluding, but merely reasons of expediency. For otherwise, if it be matter of necessity, what must be, must be; and he is concluded before he speaks. If there has been a long continuance of the regal title, still it had its original somewhere, and that was in the consent of the whole; and, if so, what fixes, can unfix, and, as consent of the whole made the title, the legislative authority, representing the whole, is competent to introduce any change it may think proper. The title of king, it is said, runs through our laws; but it is a name only, implying the supreme authority, and then, by whatever other name the supreme authority shall be known, the signification of the law will go to the thing, and not to the name. He therefore intreats to be allowed to recommend to the parliament, in such a case as this, that they would aim at a general harmony, and not lose one friend, who would otherwise think himself engaged in the same public cause, for an idle and unnecessary distinction. He concludes however with a marked deference, declaring that he had rather receive any name that this parliament should think fit to bestow upon him, than bear the most splendid title that the mind of man could invent, without their authority [a].

tion of expediency, not of necessity.

His deference to the decision of parliament.

[a] Monarchy Asserted, p. 30, *et seqq.* It is upon this speech that Hume remarks: "We will produce any passage at random; for

CHAP. XXIII.

1657. Appoints to meet the parliament in the Painted Chamber.

This speech was delivered on the thirteenth of April. On the twenty-first Cromwel gave in to the committee two papers of exceptions, in which he stated certain incidental matters respecting which he conceived the clauses of the petition and advice stood in need of amendment. These papers occupied the house on the twenty-third, twenty-fourth, and twenty-eighth. The particulars being gone through, the committee once more attended the protector on the first of May, and on the sixth. Cromwel then appointed the parliament to meet him in the Painted Chamber on the seventh, to receive his final answer [b].

Object of this meeting.

It was well known that this appointment was made by Cromwel with the intention of declaring that his scruples were at length removed, that he yielded to the repeated decision of parliament, and consented to take on him the office of chief magistrate with the title of king. This was implied in the nomination of the place in which he was to receive the parliament, the Painted Chamber, one of the apartments in the pile of buildings, commonly known by the name of Westminster Hall. On ordinary occasions he received the parliament and its committees in the Banqueting

his discourse is all of a piece. The great defect of Oliver consists not in his want of elocution, but in his want of ideas. The sagacity of his actions, and the absurdity of his language, form the most prodigious contrast that ever was known."

[b] Journals.

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House at Whitehall, the palace in which he principally resided in London. It was his custom, in the opening of parliaments, and when he met the representatives on occasions of a memorable sort, to repair to the Painted Chamber in Westminster Hall, and from thence to send a message requiring their attendance.

Cromwel gains over a majority of the officers.

More than six weeks had now elapsed, from the day on which the parliament had declared its will, that Cromwel would be pleased to assume the title of king. We may be sure that this time was not idly spent by the protector. We are told, as the result of his conference with the one hundred officers, that these military had from that time been quieted, and that many had fallen off from the rest. In particular, three of the major-generals had been won over to see the subject in the same light as their commander in chief. There seems to be no doubt, that he had gained a great majority of the officers, and a great majority of the army.

Attempts Fleetwood and Desborough, but without success.

Two men appeared particularly opposite to the designs of Cromwel in this instance, Fleetwood and Desborough. Lambert seems to have hung back, and to have persisted in a sort of sullen silence. Cromwel decided that he could do without him. The other two had married, one of them the daughter of the protector, the other his sister.

May 5.

On Tuesday, the fifth of May, the protector having appointed the committee to attend him the

day following respecting the petition and advice, now in its perfect state [c], he invited himself to dine at Desborough's, and took Fleetwood along with him, being determined to try all his powers of insinuation to bring them off from their opposition to his wishes. He failed. At length we are told he broke away from them abruptly, telling them that they were a couple of scrupulous fellows, and that nothing could be made of them [d].

May 6.

Somewhat mortified of course at his want of success, he went away from them with an unaltered determination. He received the committee at Whitehall; and appointed to meet the parliament in solemn form the next morning in the Painted Chamber [e].

Petition of officers to the parliament.

The appointment had scarcely been made, when Cromwel accidentally encountered Desborough in St James's Park, and frankly informed him of what he had done, and what he intended to do. Desborough instantly avowed his determination to have no concern with the government under that title [f]. Fleetwood and Lambert came to the same conclusion [g]. Desborough presently went home, and found colonel Pride waiting for him. Desborough told the other of the fatal resolution

[c] Journals.
[d] Ludlow, p. 586, 587.
[e] Journals, May 7.
[f] Ludlow, p. 587, 588.
[g] Thurloe, Vol. VI, p. 281.

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of the protector, and that he would the next morning openly declare his acceptance of the crown. That he shall not, rejoined Pride. But how is it in your power to hinder it? said Desborough. We will get a petition drawn, replied the other; it shall be signed by such officers as are of our opinion, and presented to the parliament. Both of them immediately repaired to Owen, the vice-chancellor of Oxford, and persuaded him to draw the petition [h].

Consequence of this proceeding.

This one step entirely changed the face of the business. It is thus in human affairs, that often in the most momentous questions the wise man bends to the fool. From time to time the concerns of nations are directed by the beck of ignorance, brute impulse, and prejudice. No man who holds the rudder of a state can do the thing he pleases and thinks best, but must yield to the current and the breeze. Cromwel had exhausted his politics upon this cardinal question. He had tried all his powers of insinuation. He had thought himself secure of success, and at any rate had resolved to persevere to the last. Desborough was certainly not the rude and ignorant man that blind party-rage has described him: but what comparison was there between him and the first statesman of the age? Fleetwood, though not destitute of military talents, shewed himself, on the eve of

[h] Ludlow, p. 587, 588.

the Restoration, the weakest of mankind. Lambert, when thus brought to the test, was also weighed in the balance, and found wanting.

Its effect on the army.

Yet to these men Cromwel was obliged to yield in the point nearest his heart. The measure adopted was of no temporising sort. The majority of the army had been from the first adverse to his ambition. But, left to themselves, they would not have known how to counteract it. They would have been won over to the purpose of their commander. What they stood in need of, was men of station and name to lead them on, and give voice and expression to their sentiments. The petition against Cromwel's assuming the title of king, broke the charm at once. The more vulgar republicans saw that they had men to direct them, who having once declared their resolution, might be relied on to go through with the affair. Lambert and Fleetwood and Desborough and Pride were at this crisis the entire army. Cromwel, no less prudent than daring, saw at once what it was necessary for him to do.

Cromwel postpones his answer to the parliament. May 7.

Early in the morning of the seventh, for he had appointed the house to meet him in the Painted Chamber at eleven in the forenoon, Cromwel sent to require that the proposed meeting might be put off, and that the former committee would attend him at Whitehall[1]. It appears that he did not receive them at that time, that he apologised for having kept them in waiting, and desired that

[1] Journals.

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they would attend him again the next day [k]. Ludlow says that, while they were still expecting the protector, he passed through the room into which they had been shewn, for the purpose of examining a Barbary horse that had been brought to him [l].

Latest appointment. May 8.

On Friday the committee came again; and Cromwel then signified his pleasure that the house would repair without further delay to the Banqueting House in Whitehall, where he would give them the meeting [m].

The petition is presented.

Thus did this great man, torn by conflicting passions, trifle to the last. The consequence was, that the petition, proposed by Pride, and drawn by Owen [n], was actually presented at the bar of the house [o]. Cromwel, informed of what was going on, sent for Fleetwood, to whom he expressed his surprise that the thing had been suffered to proceed so far, as his intention to decline the crown was perfectly known, and it had been at all times his resolution not to accept it without the concurrence of the army. Fleetwood, who desired nothing better, hastened from Whitehall to the parliament, and standing up in his place, observed, that it was in the highest degree improper for the house to engage in this or other business, when the protector was waiting to receive them,

It is quashed.

[k] Journals, May 8. [l] Ludlow, p. 588. [m] Journals.

[n] The petition is said to have been signed by two colonels, seven lieutenant-colonels, eight majors, and sixteen captains. Ludlow, p. 590.

[o] Journals.

pursuant to the message he had sent[p]. Impelled by this suggestion, the parliament immediately rose, and, with the speaker at their head, proceeded to Whitehall.

Cromwel refuses the crown.

Here Cromwel addressed them, with many apologies for the trouble he had given them and the committee, and confessing that he ought sooner to have put an end to the business. He admitted that it was undeniably true, that no private judgment ought to weigh against that of the parliament; but he affirmed that nevertheless, in matters of conscience, where every man was to give an account to God for his actions, it was his duty to engage in no proceeding which he felt to be beset with doubts, and where he not could satisfy his mind as to its propriety and rectitude. Thus circumstanced, he had weighed the proposition they had submitted to him with the greatest attention of which he was capable, and with much anxiety, and had finally come to this conclusion, which must be his answer to the suggestion of the parliament, that he could not undertake the government with the title of king[q].

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[p] Ludlow, p. 590.

[q] Journals, May 12. Dr. Johnson in his Life of Waller, asserts that "Cromwel, after a long conference with a deputation of parliament that was sent to invite him to the crown, refused it; but is said to have fainted in his coach, when he parted from them." I have not been able to discover any authority for this statement; and it certainly does not well correspond with what we know of the protector.

CHAPTER XXIV.

CONSPIRACY OF THE ADHERENTS OF THE FIFTH MONARCHY.—IT IS SUPPRESSED.—CONDUCT AND TREATMENT OF HARRISON.—TRACT, KILLING NO MURDER.

BOOK IV.

1657. Report of a conspiracy.

Doctrines of the sect of the Fifth Monarchy.

WHILE the question of the title of king was still depending, Thurloe came down to the house on the eleventh of April, with an account of a new conspiracy against the government. According to his statement the proceedings of the conspirators commenced in the winter of 1655, the persons engaged in it being of the sect of the Fifth Monarchy [a], whose doctrine was that, after the monarchies and governments of a gross and secular nature should be no more, there would succeed the reign of the saints on the earth, being the millennium, or thousand years, spoken of in the book of Revelations, when men should live together in a state of sinless perfection, and vice and crime be wholly unknown. This seemed to be a doctrine sufficiently harmless. But the fanatics of the present day, who were designated as fifth-monarchy men, were not contented to believe that

[a] Journals. Thurloe, Vol. VI, p. 185.

such a period would ultimately arrive: they further persuaded themselves, that the saints might immediately associate together, might beat down with the weapons of carnal warfare the unhallowed usurpations of ambitious men, and might assert the reign of grace, and the right of the saints, as such, to govern the earth. They were of opinion that the struggle would be short, that God would not fail to manifest himself in behalf of his favourites, and that the proclamation of their pure and heavenly purposes would immediately bring over the whole race of men to their cause [b].

Their associations and affiliated societies.

They began with setting up five meetings in and about London, each meeting to consist of twenty-five men. There was to be but one man in each of these meetings who was to know of the existence of any other meeting than his own. These five were to concert together, and to take care that the proceedings in all the meetings should be accordant and simultaneous. They were to dispatch emissaries into all parts of the nation, to provide that there should be a body of men in different counties and districts prepared to cooperate with their views. The persons originally engaged were of mean quality, the principal leader being one Venner, a wine-cooper [c].

Venner.

They extend their connections.

These men however in the course of their consultations, though illiterate, and in a high degree

[b] Standard Set Up, *passim*. [c] Thurloe, *ubi supra*.

BOOK IV. 1657.

enthusiastical, began to think that it would further their views, if they could unite to themselves some considerable men, who were also saints, though not expressly of the sect distinguished by the appellation of the fifth-monarchy. The persons they fixed on were admiral Lawson, Okey, Portman, Squibb, and some others. They framed a united council of twelve, fifth-monarchy men and commonwealth's men, to ripen their projects. They then proceeded to sound major-general Harrison and colonel Rich; and their proposition is said to have been favourably received[d]. In one of their meetings they read Vane's tract, entitled A Healing Question, not yet published, of which they zealously declared their approbation. This was represented as affording a basis for the coalition they now desired to effect[e].

Apply to Harrison and others.

Profess to adopt the principles of the Healing Question.

Their proposed rising.

It is anticipated by the government.

The government, which had all along some knowledge of their proceedings, suffered them to go on undisturbed till Thursday, the ninth of April, the day which had been fixed on for their appearing in arms. On that day a party of horse was sent to Shoreditch, to one of their places of rendezvous, where they apprehended about twenty persons, booted and spurred, and ready to take horse to proceed to Mile-End-Green, the place of general rendezvous[f]. Five of these, with

Persons apprehended.

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[d] Thurloe, *ubi supra.* [e] Ibid.

[f] Ibid, Vol. VI, p. 184, *et seqq.*

Venner, their chief, who appears to have been taken separately, were committed to the Tower[g], and the rest to the Gate-House at Westminster. Another party was dispatched to Mile-End, where it does not appear that they met with any of the conspirators, but where they found hampers of arms concealed in a field, with a standard, a Red Lion *couchant*, and a motto, *Who shall rouse him up?* and several bundles of books and declarations to be dispersed among their confederates[h]. On the day following, Harrison, Rich, Lawson and major Danvers were taken, and committed to the custody of the serjeant at arms[i]. CHAP. XXIV. 1657.

The manifesto of the party seems to have been contained in a small tract, entitled, "A Standard Set Up, whereunto the true seed and saints of the Most High may be gathered together, for the Lamb, against the Beast and the False Prophet; or the Principles and Declaration of the Remnant, who have waited for the blessed appearance and hope." This book is of a directly opposite character to the tract of The Healing Question. The latter is written with much address, to prevail on Cromwel to favour the republicans, and holding out a hope that he might still be allowed Manifesto of the party.

[g] Ibid, p. 188.
[h] Journals. Public Intelligencer, Apr. 13, 20, 27.
[i] Public Intelligencer, Apr. 13.

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to retain the same power under a more legitimate title and authority.

1657. Their declared hostility to Cromwel.

The manifesto of the fifth-monarchy men treats him in express terms as an apostate and a traitor. It declares an approbation of the dispersion of the Long Parliament, and of the calling of Barbone's convention, the members of which it pronounces to be saints. It fixes the date of Cromwel's desertion and usurping power from the abrupt close that was put to that assembly. From that time it denounces him, as having "exceeded the rage, oppression, and treason of the late king," and guilty of high treason, and recommends that no further addresses should be made to him.

Their avowed object.

It proceeds to describe the sort of government which it is the purpose of the present insurgents to set up. All earthly governments are to be broken in pieces and removed, like the iron and clay that composed the feet of Nebuchadnezzar's image[k]. All the kingdoms of the world are to become the kingdoms of the Lord and his Christ. Violence is no more to be heard in the land, and the scripture is to be the only law.

Their plan of government.

As to the outward administration of government, the manifesto laid down as a fundamental principle, that the "supreme absolute legislative power and authority are originally and essentially

[k] Daniel ii. 33, 34.

in the Lord Jesus Christ, by right, conquest, gift, election and inheritance." It recommended that a sanhedrim, or supreme council, "men of choicest light and spirit," should be duly chosen and constituted according to the principles of right and freedom, the elections to be annual, and the electors to be the "Lord's freemen, such as have a right and interest in the Redeemer of mankind." This council is to be the representative council of England, to have the chief magistracy, and power of administering the laws, the laws themselves being to be found in the Bible. Under them there is to be a court of judicature in each county to sit once in three months, and judges in every town and village to sit once a month for the trial of causes not capital, with an appeal from the town-judges to the county-courts, and from them to the supreme council. All these offices to be elective by the Lord's freemen in each district. The supreme council to have the power of the militia. The law is to be equal to all, without exception of any; and there are to be no arbitrary imprisonment, no excise, no taxes in time of peace, no tithes, and no fixed salaries for the ministers of religion.—It has been inferred from the term sanhedrim, that the supreme council was to consist of seventy persons, as among the Jews [1]; but there seems to be no foundation for this: the present insurgents

[1] Ludlow, p. 462.

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were fond of names borrowed from the policy of that nation.

1657. They are suppressed.

The insurrection appears to have been immediately quelled by the timely arrest of its leaders. They depended upon supernatural aid, that God would mould the minds of their countrymen for the immediate adoption of their sublime system, which needed only to be duly announced, in order to its being generally embraced: and, failing in this, they had no longer any resource to secure its reception.

Harrison and the more considerable persons unconnected with the conspiracy.

It is on the same account reasonable to conclude that Harrison and Rich, and the other considerable persons named by Thurloe, had no part in this conspiracy. They had been sounded, we are told, by the conspirators. They had perhaps expressed to those who applied to them a general coincidence of sentiment as to the violent dissolution of Barbone's parliament, and the usurpation of Cromwel: but the matter appears to have gone no further.—Meanwhile this transaction affords a new instance of the backwardness of the protector to sanguinary measures: no blood was shed in consequence of this conspiracy[m].

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[m] Noble, in his Lives of the Regicides, has strangely represented lord Grey of Groby as a party to this conspiracy. The list of the conspirators taken on the ninth of April, as given in Heath, and copied by Echard and Kennet, runs thus: Venner, Gray, Cowler, Hopkins, Ashton, &c. But there is no such name as Gray in the newspapers of the times. Lord Grey of Groby, "being ex-

CHAP. XXIV.

1657. Conduct of Harrison examined.

The consideration of the conduct of Harrison has peculiar claims on our attention. It is of the greatest importance in enabling us to form a correct judgment of the character of Cromwel. Harrison was one of the most illustrious characters of this period, so full of men of high enterprise and of sublime virtue. In the commencement of the civil war, when the young gentlemen of the inns of court formed themselves into companies for asserting in the field the liberties of their country, he also took up arms, and became a soldier. His gallant bearing, and the fervour with which he engaged in the service of the parliament, soon raised him to distinction[n]. His merits claimed the attention of one of the most competent judges of character at that period, viscount Lisle, lord lieutenant of Ireland. Lisle applied to the parliament, requesting to have three companions in arms assigned him by name, when he passed over to that country, Algernon Sidney,

1642. His career, military and political.

1646.

tremely troubled with the stone, was cut for it by an unskilful surgeon, at his seat at Wirthorp in Northamptonshire, in 1657, of which he died (Athenæ Oxonienses, Vol. II, p. 1057)." I do not find in what part of the year: perhaps, at the very time that this affair broke out, he was lying on his death-bed.—Noble's Memoirs of the Protectoral House of Cromwel is a valuable book, though greatly injured by the omission of references to his authorities, and subject to a general charge of credulity: his Lives of the Regicides is little else than a tissue of blunders.—I am sorry to see this whole article respecting lord Grey copied from Noble into sir Egerton Brydges's edition of Collins's Peerage.

[n] See above, Vol. II, p. 655.

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George Monk, and Thomas Harrison[o]. Charles the First, when Harrison was assigned to be one
1648. of his escort, the king being then on his last fatal journey from the Isle of Wight, immediately distinguished this officer, exclaiming with some surprise, "He looks like a soldier: I have some judgment in faces; and, if I had seen him before, I should have had a better opinion of him, than to have supposed he could be an assassin[p]." At
1650. length, when Fairfax and Cromwel were ordered to march into Scotland in 1650[q], Harrison was appointed commander in chief of the forces in England during their absence[r]. He was a mem-
1651. ber of the council of state in the years 1651 and
1653. 1653; and perhaps the most considerable error he committed was the aiding Cromwel in the dispersion of the Long Parliament in the April of 1653. He was of consequence three times reappointed a counsellor of state in the changes of that memorable year[s].

His mode of proceeding under the protectorate.

No sooner however did Cromwel assume the office of chief magistrate under the name of protector, than Harrison became avowedly hostile to his system of proceeding. In the mean time his judgment was not less sound, than his integrity was unassailable; and he therefore chose his line of conduct at this period, from which we

[o] Vol. III, p. 129.
[p] Vol. II, p. 655, 656.
[q] See above, Vol. III, p. 212.
[r] Journals, June 21.
[s] Vol. III, p. 234, 429, 514, 538. Journals, Nov. 1.

have no reason to think he ever deviated. His preferences were altogether republican; and he devoted the energies and powers of his mind to the promoting that species of government. It was his maxim at all times, to bear testimony to the truth when called upon, and explicitly to utter the dictates of his conscience; and therefore, when Cromwel sent to demand of him, whether he was prepared to own and obey his authority as protector, he frankly answered in the negative, and his commission was taken from him[t].

He resolves to remain neutral.

But it is one thing to cooperate with a government, and another to rise in opposition to it. The first Harrison, under the change that had taken place, firmly refused: he held that the recognising so flagrant a usurpation would be criminal. This case admitted, in his judgment, of no alternative. But to resist and endeavour to overthrow the new government, was a question of discretion. To enter on such a project is to act; and we cannot be justified in acting, especially in public affairs, and where the welfare of a nation is concerned, without being convinced of the solidity of the means by which our purpose is to be effected. Harrison therefore, though he cordially disapproved the ambition of Cromwel, was wholly averse to the disturbing the shew of tranquillity that prevailed, or even to the wast-

[t] See above, p. 59.

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ing his own powers, in any attempt respecting which he could not promise himself a beneficial result. The man who would change the government of a nation, enters on an arduous career; he is either to perish ingloriously, or to live the saviour of his country. He is to effect a mighty benefit, and lay the secure foundation of public happiness and virtue; or, failing in this, he becomes the author of great mischief and misery, occasions the destruction of himself and his generous coadjutors, and affords powerful motives of discouragement to all subsequent efforts for the liberation of mankind. We have therefore no reason to believe that Harrison was engaged in any of the crude and premature struggles that were made from time to time to overturn the protectorate.

Men of the highest character proscribed under Cromwel.

One of the many mischiefs that resulted from the usurpation of Cromwel, was that it thrust aside all first-rate men. There was room for persons of an inferior description, Thurloe, and Lambert, and Lockhart: such might flourish under his auspices. But minds of a loftier cast, Vane, and Bradshaw, and Harrison, were not wanted, and were out of place in this government. They could not be employed; they were looked on with an eye of suspicion; they were regarded as enemies, who could not be reduced into the order of this policy, but were at all times to be feared.

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But, though Harrison was resolved not lightly to engage in any scheme for subverting the protectorate, it was perfectly in his character to speak of it with frankness and unreserve. He deplored the apostasy of Cromwel, whom he had a little before regarded as devoted to the public cause without the smallest mixture of selfishness and ambition, and whose integrity he had relied on, even as his own soul. He now bitterly regretted his disappointment, and owned that the protector was the main obstacle to such a settlement as the public interest demanded. Harrison was repeatedly applied to by the malcontents, and he expressed to them freely his sentiments of Cromwel; though we must believe he at the same time set before them the injudiciousness and ill-consequences of the schemes they proposed.

Frankness of the declarations of Harrison.

One of the machines by which the government of the protector was supported, was the plentiful use that was made under it, of the intervention of spies; and the sincere and unpalatable censures of Harrison were no doubt brought to the ear of the chief magistrate. For a considerable time they had been as brothers. Now that they were separated, it was the conscience of Harrison that separated them. He would not enlist himself in the selfish career pursued by his former associate. When at any time one man detaches himself from another from feelings of honour, and condemns him as having made a sacrifice of the

Jealousy and alarm which Cromwel conceives of him.

BOOK IV. 1657.

principles which were formerly his glory, he by so doing assumes a superiority over his late ally, and we may reasonably consider that ally as retaining a painful impression, and feeling his genius rebuked by the greater constancy of his friend. When Cromwel, at the instigation of his own ambition, and of the council of the army, assumed the chief magistracy, he parted with the best principle of his nature, and that which constituted its highest honour. Moral rectitude, a sentiment of patriotism, an anxious devotion to the benefit of mankind without any alloy of self-interest, constitute the purest vein, and the finest spirit, of which our nature is susceptible. They are the elixir, the quint-essential extract of mind. When they are gone, or when they are contaminated or lowered, to speak in the language of Shakespear [u],

> "The wine of life is drawn, and the mere lees
> Is left this vault to brag of."

Such was the present condition of the character of Cromwel. The chord of sympathy, the line of responsive feeling between him and Harrison, was lost. For a long time they had acted from one impulse; the proceeding which one of them adopted, the other felt to be right, and adopted it too. As long as that was the case, Cromwel un-

[u] Macbeth, Act 2, Scene 3.

derstood Harrison; he consulted the monitor in his breast, and knew what the other would think and do. But, being no longer of the same school, he lost this prophetic faculty. He could not tell what excitement would be sufficient to rouse Harrison into open resistance, nor what judgment he would make respecting the probabilities of success to that resistance. He looked on him perpetually with an eye of suspicion, and feared his virtue[x].

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High importance annexed to his proceedings.

Harrison was in certain respects the most considerable of all those who openly disapproved the government of Cromwel. If Vane were his superior in subtlety of discernment and the qualities of a statesman, if Bradshaw carried more weight from his judicial situation, and the emphatic and impressive manner in which his sentiments on public affairs were delivered, yet Harrison was their equal in moral and political virtue, and had the advantage in his high military character, and in the hold he possessed on the love and confidence of his brothers of the war. We may be sure he would not have moved, without carrying the sympathy of a most formidable body of men along with him. They watched all he did, and hung upon his slightest intimations.

[x] Harrison says, on his trial, speaking of Cromwel, "Those, who had been to me as the apple of my eye, when they had turned aside, said to me, Sit thou on my right hand: but I loathed it."

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Sensible of his situation in this respect, he felt that it was incumbent upon him, not to make an unworthy use of the power he possessed, and not to lead into error and calamity those who relied on his judgment. If he had moved, the movement would have been felt to the remotest corners of the island; and he would not have thrown down the gauntlet against Cromwel, without going forward to a successful termination, or at worst, without bringing on a ruin in his fall, which would have constituted one of the most memorable pages in the history of the protectorate.

Frivolous and vexatious measures of Cromwel.

Let us compare this then with what is actually recorded of him during the reign of Cromwel. First, the protector sent to him to enquire whether he would act under the Government of the Commonwealth, and, receiving an unfavourable answer, took his commission from him. Next, he ordered him to retire to his native county of Stafford[y]. At the time of the commencement of Cromwel's first parliament, he caused Harrison to be secured for a week, and then dismissed him[z]. Finding that all these demonstrations did not tame the spirit of his adversary, at the dissolution of that parliament after a sitting of four months, Cromwel sent Harrison a prisoner to the Isle of Portland[a]. How long he was detained on this occasion we are not informed. At the com-

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[y] See above, p. 60. [z] p. 129. [a] p. 165.

mencement of the protector's second parliament, he was again sent prisoner to Pendennis in Cornwal [b]. And now, occasion being taken from this wretched insurrection of the fifth-monarchy men, Harrison was once more taken into custody [c]. 1657.

Reflections.

From this series of proceedings we may derive a great moral lesson on the subject of ill-gotten power. We are enabled to remove the veil, to look into the bosom of the tyrant, and see how many jealous doubts and fears are continually there to prick and sting him. Cromwel was by nature one of the most generous of men; but, conscious of the degree in which he had offended those, whose approbation he had formerly most valued, he felt perpetually disturbed by the apprehension how far they might be led to proceed in resentment against him. It could not but be a source of painful feeling to him, that he was obliged to watch, to molest, and harass with arrest and imprisonments, those for whom he had heretofore entertained the highest veneration. No doubt he regarded them now, to adopt the language he used to Fleetwood and Desborough, as a set of unnecessarily "scrupulous fellows:" for such is human nature; the restraint we have ourselves thrown off, we think it a weakness in others to submit to. But he could not so entirely discard the sentiments he had

[b] See above, p. 276. [c] p. 375.

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cherished for them, as not to feel uneasiness in the separation, in the hostility he feared they would harbour against him, and the hostility and injustice which he thought it necessary to adopt towards them. He must have compared the former career he had run, with the present; and, however dazzling his situation was in the eyes of the vulgar, he must at some times have felt it to be comparative degradation.

Tract, Killing no Murder.

Early in May a celebrated tract appeared, entitled, Killing no Murder, the express purpose of which was to stimulate the soldiers of Cromwel's army to destroy him. This was the most dangerous side on which the protector could be attacked; a considerable portion of the army being genuine commonwealthsmen, and but little disposed to be satisfied with the elevation of their general to his present eminence. The tract appears to have been written, while the title of king was in suspense; and it has been seen how extremely averse a portion of the officers and soldiers were to the completion of that measure.

Ironical dedication.

It is introduced with a dedication to Cromwel, conceived in a style of the happiest irony. "To your highness," says the writer, "justly belongs the honour of dying for the people; and it cannot chuse but be an unspeakable consolation to you in the last moments of your life, to consider with how much benefit to the world you are likely to leave it. It is then only, my lord, the titles you

now usurp will be truly yours: you will then be indeed the deliverer of your country, and free it from a bondage little inferior to that from which Moses delivered his. This we hope from your highness's happy expiration, who are the true father of your country; for, while you live, we can call nothing ours, and it is from your death that we hope for our inheritances."

Its commendation of Sindercombe.

It is written in a spirit of high indignation for the fate of Sindercombe: "This brave man," says the author, "has shewed as great a mind as any old Rome could boast of; and had he lived there, his name had been registered with Brutus and Cato, and he had had his statues as well as they [d]."

Said to be written by Silas Titus.

This tract was dispersed with industry and secrecy; and of course the name of the author was wholly unknown. After the Restoration, colonel Silas Titus appears to have laid claim to the merit of producing it. Titus was a presbyterian during the civil war, and, shortly after the death of Charles the First, a groom of the bedchamber to his son [e]. He was a favourite companion of the duke of Buckingham; and, when this nobleman in Charles's court mimicked Clarendon, causing a pair of bellows to be carried before

[d] In this tract I have found the first instance that has occurred to me, of Milton's being quoted by a contemporary.

[e] Wood, Athenæ Oxonienses.

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him for the purse, colonel Titus appeared with the fire-shovel on his shoulder to represent the mace [f]. But the author of this tract was plainly a leveller. He says to the officers and soldiers of the army, "This comes from one that was once one amongst you, and will be so again, when you dare be as you were." Colonel Sexby, who perished in the Tower of London in the January following, professed during his imprisonment, that he "owned it as his work, and was still of the same judgment [g];" and, if the question of the authorship lies between these two, no doubt the palm is due to Sexby. The piece is clearly a work of considerable ability, and of some learning; but Sexby has already appeared to have been a man of unquestionable abilities and address [h].

Its true author, colonel Sexby.

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[f] Echard.

[g] Thurloe, Vol. VI, p. 560.

[h] See above, p. 279.

CHAPTER XXV.

PARLIAMENT APPREHENSIVE OF AN EARLY DISSOLUTION.—CROMWEL'S SPECIFICATION OF DEFECTS IN THE PETITION AND ADVICE.—ADDITIONAL PETITION AND ADVICE.—PROCEEDINGS OF PARLIAMENT RESPECTING THE REVENUE.—ACT OF ASSESSMENT FOR THREE YEARS.—ACT FOR CONFIRMING CERTAIN ACTS AND ORDINANCES.—ACTS FOR THE REFORMATION OF MANNERS.—ACT AGAINST POPISH RECUSANTS.—CLOSE OF THE SESSION.—COMMENCEMENT OF A LEGAL SYSTEM OF GOVERNMENT.

1657.

Elastic spirit of Cromwel.

CROMWEL had no doubt suffered a severe disappointment, when he found himself obliged to surrender the idea of restoring the monarchy of England in his own person and family. But it was the character of his mind, not to be subdued by circumstances; and, if he had lost a part of what he so earnestly desired, he was not for that reason the less disposed to make an effectual use of whatever remained. It is therefore particularly interesting to remark with what an unconquered and ever-active spirit he proceeded to whatever was left of the business he had undertaken.

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1657. Adjournment of parliament contemplated.

The question concerning the settlement of the government of England by authority of parliament being decided, both the protector and the legislature looked forward to an adjournment of some months, for the purpose of installing the chief magistrate in his authority thus conferred upon him in some kind of legitimate form, of making suitable arrangements for calling into existence another house of parliament, and for various objects to which such a recess would be favourable.

1656. Length of the present session.

The present session was of more considerable duration than any that had preceded, from the dispersion of the Long Parliament in April 1653. It had been allowed to mature its measures, and finally did not break off its sittings but by its own consent, authentically recorded in the form of an act of parliament for its adjournment from the twenty-sixth of June to the twentieth of January following. It laboured however under the momentous defect of having one hundred of its members excluded at its commencement, by the arbitrary fiat of the protector.

Precautions against an early dissolution of parliament.

Such nevertheless as it remained after this violation, one of the first objects of its anxiety was to prevent, if possible, its proceedings from being put an end to by an abrupt dissolution. When therefore certain bills were prepared for Cromwel's consent, a bill for renouncing Charles Stuart, a bill for securing the protector's person, a bill for abolishing the court of wards and liveries, with

one other public, and several private bills, and he was expected to meet them in the Painted Chamber for that purpose, a further act was prepared, and passed that very morning, importing that his assent to any bills now tendered to him, should not determine the session, and this act was the first of those presented on the occasion [a]. The same apprehension of a premature dissolution discovered itself repeatedly in the course of the debates [b].

Considerations which might occasion such a dissolution.

It was surely a strange state of arbitrary government, when it was daily to be feared, that the first magistrate should dissolve the parliament before any one measure of a financial nature had been perfected, and that of consequence the country should again return to the position in which it had twice before been placed, when an ordinance framed by the protector and council, with a first, second and third reading, should have the force of an act of parliament. This might however be necessary in the last resort, in a state of affairs in which it was held, alike by the members of the

[a] See above, p. 298.

[b] See Burton's Diary, Vol. I, p. 6 (Dec. 3), 39 (Dec. 6), 92 (Dec. 9), 321 (Jan. 8). The expression in the second of these places is, "the three days you have left," and in the third, "it being the last night of the natural life of the parliament." Upon what ground this calculation was made, it is not easy for us to explain. In the parliament of 1654, the "five months" limited by the Government of the Commonwealth, was interpreted by Cromwel to mean twenty weeks, but on the ninth of December this parliament would only have sat twelve weeks.

BOOK IV. 1656.

present government, and of the government that had so successfully conducted the interests of England for the last five years of the Long Parliament, to be the first and most indispensible condition of the public welfare, to provide against the restoration of the house of Stuart.

1657. Business transacted in the present session.

The protector did not give his assent to any further bills, with the exception of the petition and advice on the twenty-fifth of May, till the ninth and twenty-sixth of June in the present year. The nature of the bills then passed will supply an idea of the business perfected in this session of parliament. They amounted to thirty-eight, public and private, passed on the first of these days, and twenty-three on the second [c]. In the mean time there is another subject that seems to claim our prior attention.

Observations of Cromwel on its defects.

On the twenty-first of April Cromwel, as has been already said [d], delivered to the committee of parliament two papers, containing observations on certain defects, which appeared to him to exist in the petition and advice that had been tendered to him for his acceptance. These observations display great subtlety of thinking, and clearness of apprehension.

Limitations on the eligibility of members of parliament recommended by him.

On the fourth article, relating to the qualifications of those persons, who, in point of loyalty, or of religion and morality, should be deemed admissible to a seat in parliament, or to places of

[c] Journals.

[d] See above, p. 365.

public trust[e], he recommended, that a particular proviso should be inserted against those in Scotland who had joined in Hamilton's invasion in 1648, or in Ireland who had engaged in Ormond's and Inchiquin's war against the parliament in 1649, unless they had since borne arms for the commonwealth, or had otherwise given signal testimony of their good affection to the state[f].

Eligibility to be enlarged.

In the same article Cromwel objected against the exclusion from parliament of public ministers and preachers of the gospel, advising that it should be limited to such as derived a maintenance from their religious functions, or were pastors or teachers of congregations[g].

Objects to the appointment of commissioners with a power to prevent members from sitting.

His next observation was certainly of some importance to the freedom and independence of parliaments. The petition and advice had provided that forty-one commissioners should be appointed by act of parliament to examine the qualifications of the persons returned to sit, and to suspend them, if they thought proper, till the house should decide upon their eligibility[h]. Cromwel recommended that, instead of this, the person who improperly intruded himself, should be liable to be punished by fine or otherwise for his delinquency[i].

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[e] See above, p. 354.
[f] Monarchy Asserted, p. 99, 100, 101.
[g] Ibid, p. 101.
[h] Journals, Mar. 23.
[i] Monarchy Asserted, p. 101, 102.

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1657. Observations on the constitution of the other house.

In the fifth article, relating to the constitution of the other house of parliament, he observed, that it was not provided that, in case of the death, or removal by any other means of the members of that house, the successor should be named by the chief magistrate in the same manner as at first[j].

on the issue of public money.

In addition to the seventh article he desired there should be a proviso, that the money of the public should not be issued by the chief magistrate, otherwise than with the advice of council[k].

on the appointment of officers of state and judges.

In the ninth article he recommended that the officers of state and the judges, if any vacancy occurred, might be appointed during the intervals of parliament by the protector and council, subject to the subsequent approval of the legislature[l].

on the exercise of offices by unqualified persons.

In a following article he advised, that any person who exercised any office of public trust, in violation of the prescribed qualifications, should be made liable to a specific penalty[m].

on matters promised in the Petition and Advice.

He observed that, in the conclusion of the petition and advice, they had promised many things in general terms for the reformation of courts of law, the abridging the delays and charges of lawsuits, and other good purposes. He said, he was persuaded they had not done this without a sincere disposition to effect what they had so

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[j] Monarchy Asserted, p. 102, 103.
[k] Ibid, p. 103.
[l] Ibid, p. 104.
[m] Ibid.

undertaken. He trusted that they would apply themselves in earnestness and sincerity to the reformation of the law and the practices of the law[n]. They had said nothing in the petition and advice about the reformation of manners; but he hoped that would not be forgotten. He praised what had been done by the major-generals in that point. He trusted it would not be lost, and that the same pious enterprise would be followed with increasing diligence[o].

on the reformation of manners.

In one of the latest articles in this document it was stated that nothing here laid down should be construed, as annulling any act or ordinance which had heretofore been made, and was not contrary to this instrument[p]. But Cromwel modestly suggested, that in his opinion this was not enough. He thought it was necessary to enumerate the acts and ordinances that were meant to be confirmed, and that particular care should be taken of the most vital and important of those ordinances which had been made by the protector in council, without a strictly legislative authority. He also spoke strongly in support of the ordinance which had so been promulgated, appointing triers to examine the qualifications of those who were to discharge the office of the ministry at the public expence[q].

on the confirmation of certain acts and ordinances.

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[n] Monarchy Asserted, p. 104, 105. [o] Ibid, p. 105, 106, 107.
[p] Journals, Mar. 26. [q] Monarchy Asserted, p. 107 to 110.

BOOK IV.

1657. on the revenue.

The last subject Cromwel entered upon in these papers was the revenue. He observed, that by the seventh article of the petition and advice it was directed, that there should be an annual revenue of one million for the maintenance of the army and navy, and of three hundred thousand pounds for the support of the government. But the present expences of the state were found to amount to one million nine hundred thousand pounds *per annum*. There was therefore a deficiency, till the expenditure could be reduced, of six hundred thousand pounds *per annum*[r]. He also remarked, that parliament had voted four hundred thousand pounds for the expences of the Spanish war in the present year, but that they had made no provision for the demands of that war, if it should be carried on longer[s].

Luminous speech of Cromwel on these subjects.

The two papers containing these remarks of Cromwel are not now to be found; but in the speech that accompanied them the contents are detailed with so much minuteness, as seems completely to supply the information which the papers themselves might have given[t].

Additional Petition and Advice proposed.

These suggestions of the protector formed the subject of the proceedings in parliament during five days in the latter part of April; and on the first of May the former committee waited on him

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[r] Monarchy Asserted, p. 110.

[s] Ibid, p. 110, 111.

[t] Ibid, p. 99, *et seqq.*

to lay before him the resolutions of the house, and to request his speedy answer concerning the petition and advice already delivered[u]. It was the sense of those who conducted the proceedings in parliament, that this great measure should as soon as possible be established, and that the different points opened in these papers, might be made the subject of a subsequent law, to be named the Additional Petition and Advice. 1657.

Extraordinary nature of this transaction.

The resolutions that were passed, agreed in almost every point with the suggestions of the protector. It is a singular spectacle to see a negociation thus carried on between the chief magistrate and the legislative assembly of any country. It seemed as if the parties had no other communication with each other, but those of this public nature. We have no means of ascertaining the secret influences that were exercised by each on the other. But we are here presented with the propositions of one to the other, and the remarks and objections suggested in return, something in the manner of a negociation between two independent powers. We are equally at a loss to know how far Cromwel's council was concerned in the digestion of these remarks, or how far on the other hand they were the fruit merely of his own meditation, or were the production of what may be called a double cabinet, a council unau-

[u] Journals, May 2.

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thenticated in its construction, and entirely independent of the privy council constituted by the Government of the Commonwealth. At all events we may safely affirm, that the speech of Cromwel in the committee on the twenty-first of April, was, like that of the thirteenth, a master-piece of sound reasoning and perspicuous arrangement.

Proceedings of parliament respecting the revenue.

The parliament proceeded to act upon the suggestions of the protector respecting the revenue. They first assured him that, as to the before-mentioned income of one million three hundred thousand pounds, the house had already entered upon measures for securing that income [w]. For the principal part they seem to have depended on the produce of the customs and excise. This revenue was farmed by the government for one million one hundred thousand pounds [x]. The rest was probably made up by the post-office revenue, and various fines and forfeitures. No express limitation of time is laid down in the two acts of this parliament for the customs and excise [y]; but it is implied in the subsequent act for farming the revenue, where it is distinctly said that the farm may be granted for any term not exceeding seven years [z].

respecting the Spanish war.

For the Spanish war, as has already been said [a],

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[w] Journals, April 24.
[x] Thurloe, Vol. VI, p. 425.
[y] Scobel, 1656, cap. 9, 19.
[z] Ibid, cap. 31.
[a] See above, p. 398.

it had been voted so early as the thirtieth of January, that the sum of four hundred thousand pounds should be raised for carrying on the war, and for other affairs of the commonwealth[b]; and in the following week it was resolved, that towards raising this sum, a monthly assessment should be made of sixty thousand pounds *per* month in England for three months, from the twenty-fifth of March to the twenty-fourth of June, and an assessment of fifteen thousand pounds in Scotland, and twenty thousand pounds in Ireland, during the same period[c]. These votes were afterwards put into the form of acts[d]. No further provision appears to have been made during this session for continuing this impost. It was further voted on the thirteenth of February, in the committee for raising this sum of four hundred thousand pounds, that a fine should be imposed on every house built within ten miles of London on a new foundation since the year 1620, not having four acres of land annexed to it, to the amount of one year's rent, and that such building be prohibited in future under a severer penalty[e]. It was afterwards directed that this penalty should be, on every house so begun to be built after the twenty-ninth of September following, one hundred pounds[f].

Act against the multiplying houses in the neighbourhood of London.

[b] Journals.
[c] Ibid, Feb. 7.
[d] Scobel, 1656, cap, 12, 13, 14.
[e] Journals.
[f] Scobel, 1656, cap. 24.

BOOK IV.

1657. Act of assessment for three years.

With respect to the deficiency which Cromwel had pointed out in the revenue, it was voted on the twenty-fourth of April, that the sum of six hundred thousand pounds *per annum* should be raised for a temporary supply for three years, to commence from the twenty-fourth of June next[g]; and on the tenth of June it was ordered that the proportion of contribution should be, thirty-four thousand pounds *per* month for England, ten thousand for Ireland, and six thousand for Scotland[h]. It was afterwards directed that the rate for England should be thirty-five thousand, and for Ireland nine thousand[i].

Reduction of revenue.

There seems therefore clearly in this instance to have been a considerable reduction in the revenue. The customs, and excise, and other inferior items, probably remained the same. There had been an assessment under the commonwealth-government of various amount, sometimes one hundred and twenty, and sometimes ninety thousand pounds *per* month for the support of the army and navy[k]. Cromwel and his council reduced this to sixty thousand pounds *per* month[l]. In the present parliament we find no revival of this assessment. For the Spanish war indeed

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[g] Journals. [h] Ibid.

[i] Ibid, June 13. Scobel, 1656, cap. 25.

[k] See above, Vol. III, p. 432, 528. Scobel, 1649, cap. 18, 47, 64: 1650, cap. 12, 38: 1651, cap. 5, 17, 23: 1652, cap. 7, 24.

[l] See above, p. 175.

there was an assessment of the same amount, but that for three months only, to expire at Midsummer; and the assessment that followed this, and was ordered to continue for the three subsequent years, was limited to the amount of six hundred thousand pounds *per annum*, or fifty thousand pounds by the month.

Act for confirming certain acts and ordinances.

The next measure adopted by parliament in conformity with the suggestions of the protector, was one enacting, that "certain acts and ordinances, made without the consent of the people assembled in parliament, which is not according to the fundamental laws of these nations, and the rights of the people, and is not for the future to be drawn into example, while nevertheless the actings upon them have tended to the settlement of the estates of several persons and families, and the peace and quiet of these nations, shall be continued and confirmed, and stand in full force and strength." This act comprehended in its operation not only certain ordinances of Cromwel's council, which by virtue of the Government of the Commonwealth had been clothed with the character of laws, but also several acts of Barbone's parliament, which undoubtedly was not such an assembly as could be considered as regularly vested with the powers of a legislative body. It therefore confirmed, and clothed with the character of laws, above one hundred acts and ordinances, which had been promulgated between

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the dispersion of the Long Parliament and the assembling of the first parliament of the protectorate, at the same time providing that all other acts and ordinances made between the twentieth of April 1653 and the seventeenth of September 1656, except those herein enumerated, should be deprived of all force, and be absolutely null and void[m].

Expedient respecting the acts of the Long Parliament.

A difficulty arose respecting the acts of the Long Parliament, between the death of the king and its dispersion, and even before that period, since among these acts was one declaring it treason to set up the government of a single person, and another enacting that that parliament should not be dissolved but by its own consent. At length an expedient was adopted, in a resolution, that the acts of that parliament stood in no need of confirmation, provided that this declaration shall not be construed so as to confirm any act or ordinance that is contrary to the articles contained in the petition and advice[n].

Act against vagrants.

With a view to Cromwel's recommendation respecting the reformation of manners, two statutes in particular were made. The first was entitled, an act against vagrants, and idle and dissolute persons, and provided that, though not taken in the act of begging, yet, if they could not give a

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[m] Scobel, 1656, cap. 10.

[n] Journals, Apr. 30. Burton's Diary, Vol. II, p. 91, 92, 93.

satisfactory account of themselves before a justice of peace or other magistrate, they should be liable to be proceeded against as rogues and vagabonds, within the statute of the thirty-ninth of queen Elizabeth. It also prohibited minstrels and fiddlers playing in any alehouse, or offering themselves and plying for that purpose[o].

against persons living at high rates without visible means.

The other was directed against lewd and dissolute persons, who lived at high rates, without any visible estate, profession or calling, to provide for such expence. Such persons were made liable to be called before a magistrate, and required to put in security for their good behaviour, and if indicted and convicted for such offence, to be sent to the house of correction[p].—These laws, if not wise in themselves, yet marked the anxiety of the government for the morals of the community.

against popish recusants.

But one of the most memorable acts passed in this session, was entitled an act against popish recusants. This statute directed, that the grand juries in the different assizes and quarter-sessions should be charged diligently to enquire after and present the names of all such persons as were suspected or reputed to be papists or popishly inclined, and that the persons so presented should be required to appear, and take the oath of abjuration, renouncing the pope's supremacy, and

Oath of abjuration.

[o] Scobel, 1656, c. 21.

[p] Ibid, cap. 26.

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the church of Rome, the doctrine of transubstantiation, and the worship of images. The constables and churchwardens of every parish were also required to make similar presentments. Every person refusing this oath, was to be judged a recusant convict, and to forfeit two thirds of his property to the use of the state[q].

Copied from a former act.

The oath of abjuration in this statute was copied with small variation from an ordinance passed in August 1643[r]. But the circumstances of the case were widely different. That law was made in the hottest and most critical period of the civil war. It was notorious that the king looked with sanguine expectation to the support of the Catholics, and sought to obtain from Ireland reinforcements to his armies from that class of his subjects. The ordinance of 1643 was for the sequestration of the estates of delinquents, and for supplying funds for carrying on the war in defence of liberty. For this purpose two thirds of the estates of Catholics were seized as a temporary resource, without determining any thing absolutely as to the condition in which they should be placed on the return of peace. But the present law had a character of permanence, and was established in a period of as much tranquillity, as under the circumstances of the nation could be expected.

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[q] Scobel, 1656, cap. 16.

[r] Ibid, 1643, cap. 15.

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This statute was essentially of the most iniquitous character. To call upon a man to be his own accuser is contrary to the plainest principles of equity. To put him to his purgation, to require him to abjure certain tenets, because he is suspected to entertain them, and to hold out to him a temptation to perjure himself in matters which he regards as of everlasting importance, is to strike at the root of his morals, and to do every thing in the power of the legislature to render him abandoned and profligate. You either inspire him with the feelings of a recreant, contemptible in his own eyes and those of others, or with those of a martyr, who, being punished for his integrity, has the strongest of all motives for inexpiable hostility to his punisher.—How this bill originated we are not told. It went through the first and second reading early in the session[s]. The third reading did not take place till the eighteenth of June[t]. It was probably a boon conferred on the presbyterians. At the same time it must be granted that the independents, earnestly attached as they were to the cause of religious liberty, too much participated in the sentiments of their rivals, so far as related to popery and prelacy.

Iniquity of this measure.

The session of parliament now drawing towards a close, a bill was prepared, and passed through

Act of adjournment.

[s] Journals, Nov. 29, Dec. 3, 1656.

[t] Journals.

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all the forms on the twenty-sixth of June, for adjourning the sittings of that assembly to the January following; and this bill with twenty-two others immediately received the protector's assent[u].

Petition and Advice, and Additional Petition and Advice assented to.

The petition and advice finally received the assent of the proctector on the twenty-fifth of May; and the additional petition and advice, along with the other bills which were presented on the last day of the session.

Close of the session.

The same day as that of the adjourning of parliament, Cromwel was inaugurated, and took the oath to the new government in Westminster Hall. It was no doubt a great step for him, that he was now formally recognized by a parliament, an assembly the members of which were chosen by the people, and who in that capacity made laws for the government of the nation. The settlement was imperfect indeed, inasmuch as it was not made by a free parliament, but by a representative that had been arbitrarily deprived of the aid of many of those who had been lawfully elected to sit in it. Such as it was however, it was an assembly that had held Cromwel at bay, and entered into terms with him. They obliged him to contract that the ancient liberties and privileges of parliament should be preserved, and that he would neither interrupt them, nor suffer

[u] Journals. Scobel, 1656, cap. 33.

them to be interrupted; and particularly, that those persons who were chosen by a free election of the people, should not be excluded, but by the judgment and consent of the house of which they were members[x]:—and that no law should be altered and suspended, and no new law made but by the authority of the people assembled in parliament[y].

Commencement of a legal system of government.

An occasion of this sort therefore, an occasion on which something having the appearance of a legal government was restored to this nation, after an interruption of at least four years, both Cromwel and the parliament thought ought to be celebrated with no ordinary solemnity[z].—It deserves to be remarked however, that, though legality is by no means to be despised, and is in reality necessary to every permanent and satisfactory settlement, it is not every thing. England was governed in a more generous spirit, with more virtue, regard for the public, and elastic and healthful tone of administration; and with infinitely more honour among all foreign powers, during this interruption, than under any of the princes of the house of Stuart.

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[x] Petition and Advice, art. 3.

[y] Ibid, art. 6.

[z] Journals, June 24.

CHAPTER XXVI.

CROMWEL UNDERTAKES TO GAIN OVER SOME OF THE ANCIENT NOBILITY.—THE EARL OF WARWICK.—VISCOUNT FAUCONBERG.—THE DUKE OF BUCKINGHAM. — CROMWEL'S INAUGURATION.—BREACH BETWEEN HIM AND LAMBERT. —BLAKE DESTROYS THE SPANISH FLEET AT SANTA CRUZ. —. HE DIES. — MARRIAGE OF CROMWEL'S DAUGHTERS TO VISCOUNT FAUCONBERG AND MR. RICH.—DUKE OF BUCKINGHAM MARRIES THE DAUGHTER OF FAIRFAX.

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1657. Cromwel undertakes to gain over some of the ancient nobility.

THE project of Cromwel having been to restore the monarchy under another line of princes, he thought this a fit occasion to endeavour to conciliate to himself some of the ancient nobility. The first to whom he applied was the earl of Warwick, who had been lord high admiral for the parliament in the civil war [a]. Under the reign of the independents he was finally dismissed from that situation in February 1649 [b]. There was something in the character of this nobleman particu-

the earl of Warwick.

[a] See above, Vol. I, p. 193 : Vol. II, p. 532, 551.

[b] Vol. III, p. 35.

larly suited to the temper of Cromwel. He was a man of considerable ability. He was well qualified to command, and was a great favourite with those who served under him. His manners were open, frank and familiar, and he was distinguished by a vein of facetiousness and jocularity. The presbyterian clergy were particularly attached to him, and though he sometimes bantered them, and used them for his amusement, they were satisfied of his orthodoxy, and that he was right at heart [c]. It was pronounced of him in his funeral sermon in 1658 [d], that he was one of the best-natured noblemen in England. He had never been a republican, but was a sincere friend to liberty. When he saw therefore a man of superlative talents, of a truly liberal mind, and of qualities congenial to his own, fixed in the chief magistracy, he became truly attached to the protector and his government.

viscount Fauconberg.

The second nobleman whom Cromwel particularly courted was Thomas viscount Fauconberg. This nobleman succeeded to the family honours in 1652, being twenty-four years of age [e], and afterwards for some years travelled for his improvement in France and Italy. Hearing that he was on his return, Cromwel directed his ambassador at Paris, Lockhart, to apply to him, and sound his

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[c] See above, Vol. I, p. 191, 192.

[d] By Calamy.

[e] Collins, Peerage.

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dispositions towards the present government[f]. Lockhart discharged his commission accordingly, and reported that he found the young man a person of extraordinary abilities, and apparently endowed with all those qualities, which should fit him for the protector's and his country's service. He owned a particular zeal for the welfare of his native land, and gave it as his opinion, that the settlement which was under the consideration of parliament, would be acceptable to all the English nobility and gentry, except a few who might be biassed by the interests of their relations residing in foreign parts[g].

the duke of Buckingham.

A third nobleman with whom Cromwel had some intercourse about this time was the celebrated duke of Buckingham. He had been treated with particular forbearance by the parliament in their settling the government after the death of Charles the First. But their favourable dispositions were thrown away upon him. With all the warmth incident to youth, and to a condition which placed him beyond control, he appears to have resolved to live and die with the prince to whom the claim to the English throne had now devolved[h]. But Buckingham was scarcely more characterised by his talents and the impetuosity of his resolves, than he was by a fickleness, which

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[f] Thurloe, Vol. VI, p. 125.

[g] Ibid, p. 134.

[h] See above, Vol. III, p. 183, 184.

perhaps never existed in a greater degree in any mortal. Even in the lawless court of Charles the Second he appears scarcely to have been trusted, and his authority among the followers of that prince was consequently small. Tired of the narrow means of expenditure he possessed, when compared with the vast estates to which he was born, he obtained leave from the king to come over to England, and endeavour to compound with those who now governed. Cromwel was already lord protector; and the first use to which Buckingham is said to have turned his opportunity, was to make overtures of marriage to one of the younger daughters of the usurper. But Cromwel was too good a judge of character to listen to the proposal; he contracted an alliance with Warwick and Fauconberg, but rejected the offer of Villiers [1].

Inauguration of Cromwel.

The ceremony of the investiture and inauguration took place on the day of the adjournment of

[1] Life of James the Second by Himself, *apud* Macpherson, Original Papers, *anno* 1668. Thurloe, Vol. VI, p. 363. There was a book published in 1816, in two volumes quarto, entitled, "The Life of James the Second, collected out of Memoirs writ of his own hand, published from the Original Stuart-Manuscripts in Carlton House, by the Rev. J. S. Clarke," in which this passage is not to be found. Query, Does the editor mean, by "collected out of" the King's Memoirs, to intimate to us that his is a garbled publication, in which many of the most interesting facts and anecdotes are carefully suppressed?

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parliament. Cromwel came from Whitchall by water, and met the speaker and members in the Painted Chamber about two o'clock, where he gave his assent to the additional petition and advice, and all such bills as were ready to be presented to him. From thence the house immediately proceeded to Westminster Hall, for the purpose of the ensuing ceremony.

The procession.

After a short interval the protector and ministers of state formed themselves into a sort of procession towards the place of rendezvous. First came his gentlemen and other persons of quality; then the recorder (Lislebone Long) and aldermen of London; next, the attorney general, the two chief justices, and the judges. They were followed by the commissioners of the treasury, and the two commissioners of the great seal (Fiennes bearing the seal). Then came Lawrence, president of the council, and Warwick carrying the sword, and with him Tichborne, the lord mayor, with the city-sword. Immediately after followed Cromwel, with the members of his council, the secretary of state, and divers of the nobility.

The ceremony.

Having formed themselves in the Hall, the protector ascended a chair of state which had been prepared, with lord Richard, Fleetwood and Claypole, members of his family, near him; and on the lower steps Warwick, Whitlocke, viscount Lisle, and general Montagu. The ambassador of France, Bordeaux, sat on the right, and the am-

bassador of Holland, Nieuport, on the left of the chair. The speaker of the parliament, Widdrington, presented to him successively a robe of purple velvet, lined with ermine, a Bible, a sceptre, and a sword, accompanying the ceremony with a short speech.

The return.

In departing, his train was held up by several young persons of quality, and among them Rich, afterwards his son-in-law, the eldest son of lord Roberts, and lord Sherard of the peerage of Ireland. He returned to Whitehall in a coach of state, having Warwick opposite to him, and Whitlocke and Richard Cromwel on one side, or, as Whitlocke expresses it, in one boot; and viscount Lisle and general Montagu on the other [k]. Fauconberg, as not appearing on this occasion, may be presumed not to have yet arrived from the continent.

Parliament adjourned.

The ceremony being finished, the parliament returned to their place of sitting, and, after passing two or three votes of no great importance, dispersed themselves pursuant to the act of adjournment [l].

Breach between Cromwel and Lambert.

A memorable thing that occurred on this day was the absence of Lambert. From the dispersion of the Long Parliament inclusive, he had been the chief counsellor of Cromwel. He is said

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[k] Public Intelligencer, June 29. Whitlocke, June 26.

[l] Journals.

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to have drawn up the Government of the Commonwealth in December 1653[m], in which it was originally intended to have called on Cromwel to assume the title of king[n]. He was universally considered as the second man in the state. If, as has been generally supposed, he aimed to be Cromwel's successor in the protectorate, that ambition must have been awakened in his bosom, subsequently to the close of 1653. Certain it is, he opposed the assumption of the royal dignity in 1657.

Lambert resigns his commissions.

It is not easy to say, when the breach between him and his principal came to an open rupture. He attended all the meetings of Cromwel's council which took place in the month of May[o]. It was on the eighth of May that Cromwel openly declined the title of king. On the thirteenth of July the members of the council took the oath of fidelity to the new government. On this occasion Lambert did not present himself[p]. Cromwel therefore, we are told, sent for him, and after some conversation called on the major-general, if he were dissatisfied with the present state of things, to surrender his commissions. Lambert replied that he had not expected to be called on in this way, otherwise he would have brought them with him. He desired the protector there-

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[m] Ludlow, p. 476. Echard.

[n] See above, p. 5.

[o] Order Book, May 5, 6, 12, 14, 26.

[p] Order Book.

fore to send for them, which, two or three days after, was done accordingly. He was thus deprived of a regiment of horse, a regiment of foot, and ten pounds a day which he received as third in command in the army. Cromwel however granted him a retiring pension of two thousand pounds *per annum*[q]; and from this time he lived in seclusion at Wimbledon, mixing no more in public affairs during the life of the protector.

Receives a pension.

His egregious vanity.

There is no error into which an individual is more liable to fall, than this overweening sense of his own importance, imagining that the person who has used his counsels upon almost all occasions, cannot do without him, and will not dare to think of dispensing with his assistance. Lambert had the weakness to look upon himself as in some manner Cromwel's creator. The present misunderstanding could not be a quarrel of principle, but of private spleen and disappointed ambition.

He is greatly disappointed.

But Lambert was grievously undeceived in the result of their separation. Cromwel was a very different sort of person, from that which the other in the overflowings of his vanity had conceived him to be. The protector was a man of warm affections, and therefore we may easily believe did not fail severely to feel the desertion of this his chosen and hitherto faithful coadjutor. He had leaned

[q] Ludlow, p. 593, 594. Thurloe, Vol. VI, p. 427.

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towards him, as a pillar of his strength. But, when that pillar was undermined and failed him, 1657. Cromwel felt that he could still stand, relying on his internal resources. He had in his opinion a great duty to fulfil, and therefore did not give way to any false susceptibility, but, being deprived of one main support, only the more tasked his own powers, and enquired the more strictly into what he was himself able to perform. When a foreign and unnecessary support is removed from a mighty edifice, it then begins to shew itself more entire, and appears to stand in the more majestic repose. Cromwel no doubt, in the height of his confidence, discerned all the weaknesses and effeminacy of Lambert. But he saw that he had qualities which might be turned to special account in the hands of a master. It appeared sufficiently afterwards, that Cromwel could do without Lambert, but that Lambert was little or nothing except under the direction of such a superior.

1656. Cruises of Blake.

In the following month happened the death of admiral Blake. Admiral Montagu had returned to England, for the purpose of convoying the treasure and prisoners in the October of the preceding year[r]; and from that time Blake had remained sole in command. He continued during the whole winter, cruising off Cadiz and the coast 1657. of Portugal. In the spring he sailed for the Ca-

[r] Thurloe, Vol. V, p, 509.

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naries, to intercept the fleet from Mexico, which was always richer than that from Peru. He arrived about the middle of April, and found that the prize he sought was already in the bay of Santa Cruz in the island of Teneriffe. This bay is a semicircle, defended by two castles placed at either extremity, and seven forts disposed at different distances within, to prevent the entrance of an enemy. The fleet consisted of ten smaller vessels moored in the line of the bay, and six galleons placed on the outside, their greater size not admitting of their passing the bar. Here it was the purpose of the Spaniard to remain, till Blake should be compelled by weather, or want of provisions, to withdraw and leave the passage free. They had an entire confidence in their safety, and believed that it was not in mortal power to assail them in a retreat so admirably defended [s].

1657. Finds the Mexican fleet in the bay of Santa Cruz.

Blake called a council of war, in which it was decided, that it was impossible to expect to capture the Spanish fleet, and all that was left him was to destroy them. Accordingly he ordered Stayner, the same officer who had taken the fleet from Peru, with a squadron of his best ships to enter the bay, and attack the smaller ships and the forts, while he himself undertook for the

Attacks and destroys them.

[s] Clarendon, Vol. III, p. 600. Bates, Part II, p. 227. Perfect Politician, p. 228, 229.

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galleons. The action continued from eight in the morning to seven at night, on the twentieth. At length the forts and the Spanish fleet were forsaken and destroyed, while the English sustained a loss of only forty-eight men. The engagement, we are told, was no sooner over, than the wind suddenly veered to the south-west, a thing seldom known in that climate, and enabled the English without difficulty to gain the open sea[t].

His sagacity asserted.

This affair is treated by all our contemporary historians as nothing less than miraculous. It seems now to be generally admitted, that ships at sea have an infinite advantage in an engagement over forts at land. But the man who first discovers a practical truth which is afterwards generally acknowledged, and dares to rely on this untried sagacity, is a man of genius, and, if he applies his talents to objects of general utility, deserves the admiration of his species. Blake in this instance was not a person, as men of that age imagined, plunging into desperate attempts, and coming off safe by the unmerited favour of fortune or providence; a sort of being that is less of a hero, than a madman. His escape from the harbour of Santa Cruz is also less extraordinary than it has been described: after having destroyed his enemy both by sea and land, he might afford to wait his time, and watch his opportunity.

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[t] Clarendon, p. 600, 601. Perfect Politician, p. 229, 230, 231.

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This admirable man had now completed the business for which he was sent, and, finding his vessels in want of repair, determined to return home. His health was in a more desperate state, than his fleet. He had been three years at sea; and his body was worn out with incessant hardships and exertions. Amidst a complication of diseases, he died within view of land, as his fleet was entering the soundings of Plymouth, on Friday, the seventh of August, having just completed the fifty-ninth year of his age. His body was embalmed, and lay in state at Greenwich. The funeral did not take place till the fourth of September, in Henry the Seventh's chapel at Westminster Abbey, and was attended by the members of council, the commissioners of the admiralty, the field-officers of the army, and the lord mayor and aldermen[u]. Among the rest the presence of Lambert was particularly remarked, who, though now in disgrace at court, did not on that account fail to pay this last respect to the remains of a man, with whom he had been in habits of intimacy, a regular and frequent correspondence having been kept up between these eminent persons[x].

1657. His death and burial.

It was in the November of the present year that Cromwel married his two younger daughters,

Marriage of the daughters of Cromwel.

[u] Athenæ Oxonienses, Vol. I, Fasti, p. 204, 205.

[x] Heath, p. 402.

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the lady Frances to Mr. Rich, eldest son of the eldest son of Warwick, and the lady Mary to lord Fauconberg. The ceremony took place, the former on the eleventh, the latter just one week later[y]. It was at the former of these festivities that Cromwel is said to have allowed himself in some of those rude buffooneries, to which he was notoriously partial[z]. Mr. Rich died in the February following.

of the duke of Buckingham with the daughter of Fairfax.

Another marriage took place about the same time, which is on many accounts sufficiently memorable. This was of the duke of Buckingham, whose alliance had been refused by Cromwel, with the daughter and heiress of Fairfax. It is somewhat singular that the report of such a marriage was mentioned in 1653[a]; but, so far as appears, without any foundation. A considerable part of Buckingham's estates had been settled on Fairfax[b]; and there was no more obvious method for this nobleman's repairing his ruined fortunes, than by such a marriage.

Conduct of Fairfax during his retirement.

From the time of Fairfax's resigning the command of the armies of England he had lived in complete retirement, with the single exception, that, conformably to his declaration that, if the Scots invaded England, he would cheerfully lay

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[y] Athenæ Oxonienses, Vol. II, Fasti, p. 89.

[z] Symonds, Historical Notes; Harleian MSS, No. 991.

[a] Thurloe, Vol. I, p. 306.

[b] See above, Vol. III, p. 184.

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down his life to resist them[c], he shewed himself in Yorkshire at the head of a large body of recruits to reinforce Cromwel, a short time before the battle of Worcester[d]. There was a rumour of his intending to rise to assist Wagstaff's rebellion in favour of Charles the Second in 1655[e]; but this seems to have been founded only on his known disapprobation of the conduct of Cromwel in assuming the office of protector.

Marvel employed in the education of his daughter.

Meanwhile he resided on his estates in Yorkshire, with his wife and daughter, wholly engaged in the pursuits of a private gentleman. He had here four different residences, forming a little circle of recreation, where every thing contributed to delight the sense, and soothe the soul to tranquillity[f]. He had engaged the celebrated Andrew Marvel, a man accomplished in languages, and distinguished for the purity of his morals and the exquisiteness of his poetic taste, as tutor to his daughter[g]. Marvel remained in this family till 1653[g], when he was engaged by Cromwel in the education of William Dutton, his ward, and who was heir to one of the greatest estates in England[h].

Considerations that induced Fairfax to yield to the marriage.

The daughter of Fairfax, of whom Marvel

[c] See above, Vol. III, p. 215.
[d] Ibid, p. 263.
[e] Thurloe, Vol. III, p. 312.
[f] Marvel's Poems; Appleton House.
[g] Todd, Life of Milton, 1826, p. 163.
[h] Milton, State Papers, p. 98. Noble, Vol. I, Part II, Section ii.

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speaks with the highest encomium, was born in July 1636, and gave her hand to the duke of Buckingham on the twenty-fourth of September in the present year[i]. No doubt Fairfax was influenced in his choice by a sentiment of equity. He saw a youth, born to the highest expectations, with eminent endowments and accomplishments, and who now shewed himself no blind bigot of a party, cut off, by what could scarcely in him be called a fault, from the possession of great opulence, and much honour and power in his native country. The ex-general of England appeared to have it in his power to correct this evil, without inflicting the smallest injury on a human creature.

Turbulence of Buckingham.

Buckingham was as dangerous a man, as a person of his unstable and versatile dispositions could be. Stung to the quick by the repulse he had received from Cromwel, he appears to have been full of projects of revenge. He joined himself to the most desperate associates, and perpetually discoursed insurrection and assassination[k]. This was before his marriage with the daughter of Fairfax; and the ex-general perhaps conceived, that the being restored to his station in the community would take him off from cabals and designs which appeared to lead directly to his ruin.

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[i] Whitlocke.

[k] Thurloe, Vol. V, p. 511; Vol. VI, p. 363.

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The conduct of Cromwel on this occasion was such as did the highest honour to his liberality, and to the friendship he had ever entertained for Fairfax. He was displeased with the marriage, and saw much evil likely to arise from it; but he promised to do all he could to favour the duke, and that, if it were necessary, an act of parliament should be passed to authorise him to live in England unmolested[l]. Buckingham had much intercourse with the family of Cromwel, who afforded him every kind of countenance and encouragement. But by some strange manœuvre an order of council was made for his being apprehended, and carried a prisoner to the island of Jersey; it being supposed by some, that this was done out of officiousness, to set the generosity and forbearance of the protector in a more conspicuous light[m]. Fairfax engaged himself to the uttermost for the inoffensive behaviour of the duke, and his loyalty to the government[n]; but the conduct of the latter gave little countenance to these protestations. A multitude of sinister reports were conveyed to the father-in-law; and information was given in return, that Fairfax had said that he laid up in his mind the unkindness of Cromwel, and should remember it when there was occasion, adding, that he knew not but he

Liberality of Cromwel.

Buckingham imprisoned.

[l] Thurloe, Vol. VI, p. 580, 616.
[m] Ibid, p. 617.
[n] Ibid, p. 648.

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1657. He is enlarged.

might, in virtue of his old commission as general, be induced to shew himself in arms in behalf of the aggrieved people of these nations[o].—By Cromwel's permission Buckingham was allowed to reside with his consort at York House in the Strand, the place of his birth[p].

Unfortunate sequel of this marriage.

Fairfax had small reason to congratulate himself on the alliance thus contracted. The profligate habits of his son-in-law soon became matter of notoriety; his whole life was one scene of turbulence and instability; the duel, attended with such atrocious circumstances, in which he killed the earl of Shrewsbury, occurred in 1667, four years before the death of Fairfax.—The duchess survived her husband six years, and died in the year 1704[q].

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[o] Thurloe, Vol. VI, p. 706.

[p] Life of Buckingham, prefixed to Evans's edition of his Works.

[q] Douglas, Peerage of Scotland, 1813. art. Fairfax.

CHAPTER XXVII.

STATE OF IRELAND.—TRIALS OF THE REBELS.—TRANSPLANTATION OF LANDED PROPRIETORS INTO CONNAUGHT.—LOWER ORDERS OF CATHOLICS CONTINUE IN THEIR FORMER ABODES.—DILIGENCE AND ZEAL OF THE CATHOLIC PRIESTHOOD.—NUMBER OF CATHOLICS UNDIMINISHED.—PROJECT FOR UNITING ENGLAND, SCOTLAND AND IRELAND.—UNSETTLED STATE OF THE GOVERNMENT OF IRELAND.—LUDLOW AND FLEETWOOD RECALLED.—HENRY CROMWEL SENT.—HIS WISE ADMINISTRATION.—ACT FOR ABJURING THE CATHOLIC FAITH.—HENRY CROMWEL LORD DEPUTY.—ADMINISTRATION OF SCOTLAND.

State of Ireland.

THE situation of Ireland urgently called for the interference and care of the metropolitan government. The mass of the population of that country had been in arms against the parliament ever since the autumn of 1641. The war had commenced in the most criminal excesses. It was a war of Catholics against a Protestant ascendancy, which claimed to have the rule over them. The insurgents had organised a government of their

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own at Kilkenny, and extended their authority over the greater part of the soil; and, after many contests in the field with various success, Ormond announced to Charles the Second a few weeks after the death of his father, that three fourths of the population of the island were ready to receive him with open arms[a]. By the vigorous exertions and the talents of the republican generals all this was shortly after reversed. Cromwel was appointed lord lieutenant for the parliament in June 1649; and, after two campaigns of uninterrupted victory, the war was terminated by the surrender of Galway on the sixth of April 1652[b].

1649. Charles the Second invited thither.

1652. Conclusion of the war.

The question next to be considered was how the parliament of England should best preserve the conquest they had achieved. The Irish nation was subdued; they were no longer any where able to make head against the victors. But the mind of Ireland was no less hostile than before; her people were more exasperated against the sectaries that had conquered them, than they had ever been against the royal government that had preceded. The measures which had been employed by Cromwel and Ireton to overcome their resistance, were little calculated to reduce them into loyal and obedient subjects.

The Irish population hostile to the commonwealth.

A circumstance which rendered the question of Ireland at this time particularly arduous, was

Antipathy between the Catholics and Protestants.

[a] See above, Vol. III, p. 139.

[b] Ibid, p. 325.

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the difference of religion between her people, and the people of the neighbouring country, the seat of the supreme government. The great majority of the Irish were Catholics. The party which had successfully fought against the king in England, and the mass of her population, held popery and prelacy in abhorrence. Various causes had contributed to widen and exasperate the hostility. Charles the First had from the beginning shewn himself desirous to make use of the Catholics of England and the Catholics of Ireland to reinforce his claims to a more extended prerogative, and to a government without parliaments. The friends of liberty in England therefore generally regarded the Catholics with antipathy. The Catholics of Ireland had been divided among themselves; a part adhering sincerely to Charles the First, and a part regarding him with coldness, not to say alienation, as a heretic. But they all agreed to look upon the sectaries and republicans of England as enemies of God and man. There was no chance of conciliating them by any concessions the supreme government could make. It is a sufficiently distressing position in any case, where the religion of a nation is alien to the religion of its rulers. But here, where so many causes of exasperation had occurred on both sides, nothing short of a severe and rigorous system of policy on the part of government, could have any chance of

Impracticability of a reconciliation.

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rendering Ireland an integral and efficient member of the British empire.

1652. Extent of the confiscations awarded against Ireland.

There was another circumstance in the case that was no less urgent and commanding, than those considerations of policy that instigated the parliament to treat the Irish nation as a conquered people, and as a conquest attended with no ordinary apprehension and peril. This was the measure which had been adopted by the parliament a few months after the breaking out of the rebellion, of pledging two millions and a half of acres in the kingdom of Ireland, the presumed forfeiture of those who took up arms, as security for a loan that was to be raised from such persons as should be willing to embark in this species of adventure [c].

Irish enlisted in foreign service.

Such was the foundation of the measures that were now adopted against the landed proprietors of that unhappy country. By way of reducing the number of men in Ireland, trained to arms, and whose habits of war had been acquired in fighting against the parliament, Cromwel had early granted permission to those who desired it, to enlist in foreign service; and it was computed that twenty-five thousand men had in consequence been transported to Spain, and that twenty thousand had engaged in the service of France [d]. A

[c] See above, Vol. I, p. 258, 359. [d] Vol. III, p. 162.

1652. Act of Settlement.

bill was now brought in, entitled, an act for the settlement of Ireland, and passed through its three stages on the tenth, eleventh and twelfth of August. This bill contained, among other provisions, the names of six earls, ten viscounts and six barons of the kingdom of Ireland, and above eighty other individuals, who were excepted from pardon for life and estate. It awarded the same penalty against all persons who, previously to the establishment of the supreme council at Kilkenny, should be found to have contrived or abetted the rebellion, murders and massacres in Ireland, and against all jesuits and priests who had taken part in the war. It enacted the penalty of banishment, and the loss of two thirds of their estates against all persons who had been general officers, colonels, or governors of forts, for the enemy. It empowered the commissioners of parliament to select such other persons as, having been concerned in the war, appeared to them worthy of such punishment, who were also to forfeit two thirds of their estates. All Catholics universally, except such as had constantly manifested their good affection to the commonwealth, were to lose one third. Finally, the bill provided, that the parliament or its commissioners should have power, if they saw cause, to transplant any of the persons, who should be judged to have incurred the forfeit of any part of their estates, from the usual places of their residence, to such other places within the nation,

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as might be found most consistent with the public safety, allowing them such proportion of land or estate in the place of their transplantation, as they would have enjoyed, if they had not been so removed [e].

Act for the satisfaction of the adventurers for lands in Ireland.

The provisions of the other act, for the satisfaction of the adventurers for lands in Ireland, and of the arrears due to the soldiery, which was brought in a few days before the act of settlement, but did not pass into a law till the twenty-sixth of September 1653, have been enumerated elsewhere [f]. This act further directed, that the province of Connaught and county of Clare should be reserved for the habitation of all such of the Irish nation, who by the provisions of the former act were liable to be transplanted from the places of their former residence [g].

Fleetwood named commander in chief.

On the ninth of July 1652 Fleetwood, who had married the widow of Ireton [h], was appointed commander-in-chief of the forces in Ireland [i]; and in the following month an act was made, appointing a new board of commissioners for the government of that country, with instructions for their conduct in the discharge of this office.

Commissioners.

The commissioners were Fleetwood, general, and Ludlow, lieutenant-general, with Miles Corbet,

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[e] See above, Vol. III, p. 237, 538. Scobel, 1652, cap. 13.
[f] See above, Vol. III, p. 329.
[g] Scobel, 1653, cap. 12.
[h] See above, Vol. III, p. 323.
[i] Ibid, p. 324.

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John Jones and John Weaver. Their instructions extended to the erecting, altering and continuing courts of justice, and to the imposing taxes on the people of Ireland, not to exceed the amount of forty thousand pounds *per* month [k].

Trials of the rebels.

In pursuance of these instructions they erected five high courts of justice for the trial of those who had been concerned in the murders and massacres of 1641; two for Leinster, two for Munster, and one for Connaught [l]. The most considerable of the persons proscribed by name in the act of settlement, had escaped to foreign countries; and many of the most notoriously guilty had either perished in battle, or had otherwise paid the debt of nature. But Lord Mayo, sir Phelim O'Neile [m] and Luke Toole were convicted and executed; and the viscounts Muskerry and Clanmaliere were acquitted [n]. These five were in the list of the proscribed. The number of those who suffered was about two hundred [o].

1653.

Transplantation of landed proprietors.

The next business to which the commissioners directed their attention was that of the transportation of those persons into the southern and midland division of the province of Connaught, respecting whom provision had been made in the

[k] Journals, Aug. 24, 25, Sept. 2.

[l] Cox, History of Ireland, Charles II, p. 70, 71.

[m] Some pretended particulars of his trial are given, Vol. I, p. 227, note.

[n] Ludlow, p. 443, to 446.

[o] Cox, p. 71.

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act of settlement that they should lose one third and two thirds of their estates respectively. These persons, or as many of them as the commissioners should think fit, were to be removed from the other three provinces, that the soldiers, adventurers and others, to whom the parliament assigned their lands, might plant without disturbance, or danger of being corrupted by intermixing with the natives in marriage or otherwise, which had been found in all former instances to be attended with an assimilation of the new settlers to the Irish, rather than an improvement and civilization of the latter by the infusion of a new stock from the superior country [p]. The condition of this removal was, that the persons removed should receive in the district of their new abode an equivalent for the lands they had previously possessed in the other provinces. Two courts of claims were accordingly instituted at Dublin and Athlone for hearing the representations of the different parties, and adjusting the exchange [q].

Calamitous nature of this proceeding.

Such an extensive revolution in the landed property of a country as now took place in Ireland, must have been attended with calamity indescribable. A few proprietors appear to have been favoured. But all Catholics universally, in the terms of the act, except such as had constantly

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[p] Ludlow, p. 441.

[q] Cox, Account of Transactions since 1653, p. 1.

manifested their good-affection to the commonwealth, were included in this transplantation. And this in a Catholic country, must have included nearly the whole of the landed population. All therefore, or nearly all the respectable proprietors, were hurried at once from the north, the south, and the east, and crowded together into the western province. The country to which they were confined, consisted of the most barren, desolate and mountainous part of the island. It was plainly impossible that all the new comers should receive in this narrow district the equivalent which the act of parliament awarded them; and the majority were obliged to be contented with an inadequate and comparatively insignificant compensation [r].

[r] No transaction in history has experienced so extensive and successful a misrepresentation, as that of which we here treat. To begin with Clarendon. He says, The present government of England "found the utter extirpation of the nation (which they had intended) to be in itself very difficult, and to carry in it somewhat of horror, that made some impression upon the stone-hardness of their own hearts, After so many thousands destroyed by the plague, which raged over the kingdom, by fire, sword, and famine; and after so many thousands transported into foreign parts; there still remained such a numerous people, as they knew not how to dispose of: and though they were declared to be all forfeited, and so to have no title to any thing, yet they must remain somewhere. They therefore found this expedient, which they called an act of grace. There was a large tract of land, even to the half of the province of Connaught, that was separated from the rest [of the kingdom] by a long and large river, and which by the

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1653. Preamble of the act of settlement.

The purpose of the measure which was thus carried in execution, is sufficiently explained in the preamble to the act of settlement. It runs thus: "Whereas the parliament of England, after

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plague and many massacres remained almost desolate. Into this space and circuit of land they required all the Irish to retire by such a day, under the penalty of death; and all who should after that time be found in any other part of the kingdom, man, woman, or child, should be killed by any body who saw or met them." Clarendon, Life, Vol. II, p. 116. This account is again exhibited, *mutatis mutandis*, by the same author, in his History of the Rebellion, Vol. III, p. 753. It is transcribed as history by Dr. John Curry, in his Historical Review of the Civil Wars of Ireland, and by Mr. Charles Butler, in his Historical Memoirs of English, Irish and Scottish Catholics. It is built upon by Hume in his History of England, and Leland in his History of Ireland, and has been contradicted by no historian.

John Fitzgibbon, earl of Clare, lord chancellor of Ireland, in his Speech on the Union, 10 February 1800, published by authority, says, "The rebellion of 1798 would have been a war of extermination, if it had not been for the strong and merciful interposition of Great Britain; and I could wish that the besotted rebels of this day, who have been saved from extermination by a British monarch, would look back at the blessings of republican liberty, dealt out to their ancestors by the usurper Cromwel.

"His first act was to collect all the native Irish who had survived the general desolation, and remained in the country, and to transplant them into the province of Connaught, which had been completely depopulated and laid waste in the progress of the rebellion. They were ordered to retire by a certain day, and forbidden to repass the river Shannon on pain of death, and this sentence was rigidly inforced till the Restoration."

It was this picture that caused my pen to drop from my hand, at the close of the twentieth chapter of the Third Book of my work.

the expence of much blood and treasure for suppression of the horrid rebellion in Ireland, have, by the good hand of God upon their undertakings, brought that affair to such an issue, as

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I endeavoured to figure to myself three fourths of the territory of Ireland without an inhabitant—no soul left through its cities, its uplands, its vallies, its farm-houses, and its granges, but the English invaders, and their English families. I own the weakness of my understanding and my imagination; I could not take it in. All the natives of Ireland, all the Catholics who were in a manner the nation, departing, some in smaller groupes, some in more numerous bodies, man, woman and child, for the lower half of the province of Connaught—leaving behind them their houses and their immoveable property, carrying with them in carts, on their shoulders, and in their hands, what they were able, or what they were permitted, to take away—driving before them perhaps a few cattle, such as the rapacity of their conquerors allowed them to remove—but the greater part, like Hagar and Ishmael in the desert, with a loaf of bread and a bottle of water; many of them even without a change of raiment. The country lay behind them one vast and unvaried desolation, where nothing human was to be seen, no voice to be heard, nothing left that bore the sign of life, but the wolves and the foxes. You might go up into the highest mountain, and the aching sight would search in vain for that great ornament of the earth, from infancy to helpless age, the human form divine. This was indeed the departure out of paradise. But how was this people to subsist? Here was a nation to be fed. What vast magazines would suffice to supply their urgent wants? Man cannot at the same time perform a fearful pilgrimage, and exert the industry necessary to realize his subsistence. A sentence of banishment against a nation, is a sentence of death with every possible variety of wretchedness. And, when they came to their journey's end, if that were indeed possible, all they were to find, as Clarendon says, was a portion of land, the most barren in the kingdom,

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that a total reducement and settlement of that nation may, with God's blessing, speedily be effected;—To the end therefore that the people of that nation may know, that it is not the intention of the parliament to extirpate that whole nation, but that mercy and pardon, both as to life and estate,

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which massacres and the plague had made vacant for their reception.

It is equally clear, that such an expulsion of all the native Irish would have been in opposition to the most obvious interests of the new settlers. Under the plan proposed by the two acts of parliament the adventurers and the soldiers were to be alike satisfied with grants of land. There seemed to be a vast extent of acres ready to be appropriated to this purpose. But what were the new settlers to do with their land, when they had got it? The value of land mainly depends upon the quantity of human labour that is expended upon it. The first question therefore was of labourers. Were the persons who obtained assignments of land to bring over labourers from England? That was impossible. England certainly was not at this time so populous, as to bear so great a drain of the industrious part of her inhabitants. They must first be inticed by sufficient motives to consent to this deportation. The expence and trouble of transporting them would be considerable. They must be distributed in new plantations, and break up a new soil. The price of labour at this time was much greater in England than in Ireland. [See Bates, Part II, p. 65.] The subsistence of an English labourer must be more ample and costly. And all this was to be done, when there were multitudes of labourers on the spot, who must be starved out, to make room for the new comers. The native Irish were by this time sufficiently humbled. They might be driven this way and that, almost like herds of cattle. They might be oppressed without dispute, in the way that adventurers and disbanded soldiers delight to oppress their inferiors. Whereas the English labourers must be cajoled and courted and caressed, to

may be extended to all husbandmen, ploughmen, labourers, artificers, and others of the inferior sort, they submitting themselves to the parliament of the commonwealth of England, and living peaceably and obediently under their government; and that others also of higher rank and quality may know the parliament's intention con-

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induce them to come from their native country, or to stay when they were come. The Irish labourer by his powers of endurance, under sound discretion, has in all ages been found the most profitable labourer that could be engaged in works of agriculture.

Another circumstance not less strikingly in opposition to the statements of lords Clarendon and Clare, is the copious distribution of Catholic families since, through the different provinces of Ireland, with the exception of Ulster. When they were let out from their cage in Connaught, where, according to lord Clare, they were rigorously shut up till the Restoration, did they at once flow in equal streams to every part of the country which had before been forbidden ground? It is well known that the Catholics of Ireland were not treated with much indulgence by the ministers of Charles the Second. (See Clare's Speech, the very next paragraph to that above quoted.)

There is a curious table, in Chalmers's Historical View of the Domestic Economy of Great Britain and Ireland, 1812, p. 421, of the Catholic and Protestant families in Ireland in 1733, which strongly tends to illustrate this subject. It is as follows:

	Protestant Families.	Catholic Families.
In Ulster	62,620	38,459
Leinster	25,238	92,424
Munster	13,337	106,407
Connaught	4,299	44,133
Totals	105,494	281,423

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cerning them, according to the respective demerits and considerations under which they fall; Be it enacted"—

Apparently tranquil and prosperous state of Leinster, Ulster and Munster.

The situation of Ireland, both as it relates to the three other provinces and to Connaught, in the sequel of this measure, is satisfactorily stated by Clarendon. As to the first he observes, "It is wonderful, that all this was done and settled within little more than two years to that degree of perfection, that there were many buildings raised for beauty as well as use, orderly and regular plantations of trees, and fences and inclosures raised throughout the kingdom, purchases made by one from the other at very valuable rates, and jointures made upon marriages, and all other conveyances and settlements executed, as in a kingdom at peace within itself, and where no doubt could be made of the validity of titles[s]."

of Connaught.

With respect to Connaught he relates, "The land within this circuit was out of the grace and mercy of the conquerors assigned to those of the nation who were inclosed, in such proportions as might with great industry preserve their lives. And to those persons from whom they had taken great quantities of land in other provinces, they assigned the greater proportion within this precinct; so that it fell to some men's lot, especially when they were accommodated with houses, to

[s] Life, Vol. II, p. 118.

have a competent livelihood [*they* were clearly in a very different situation from those who might with great industry preserve their lives], though never to the fifth part of what had been taken from them in a much better province[t]."

Disadvantages of the transplanted.

Among the evils which the transplanted were destined to sustain, it is stated by one of their own priests, that they were without cattle to stock the land, without seed to sow, or plough to manure it; *without servants*, without shelter, without house or cabin to dwell in[u]. A clear proof that the mass of the Irish Catholic population was not included in this transplantation.

Exemplary conduct of the Catholic priesthood.

One memorable circumstance attending this revolution, is that we have no account of any conversion of the lower order of Catholics, thus separated from their masters, to the Protestant faith. In this we are presented with one of the peculiar excellencies of the ancient Roman Catholic religion. None of the priests in Munster or Leinster had the baseness to forsake their flocks[x]. In the days of their prosperity they had shewn themselves ambitious and arrogant, deeply engaged in the troubled sea of politics, and instigating their followers to all the aggressions and all the obstinacy, which had produced an eleven years'

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[t] Ibid, Vol. II, p. 116.

[u] Peter Walsh, *apud* Curry, Book IX, chapter ii.

[x] Matthew O'Connor, History of Irish Catholics, p. 88.

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war, and had involved Ireland in miseries incalculable. In the hour of trial they stood forth superior to human infirmity. With resolution inflexible they encountered every possible calamity, suffered the utmost hardship and privations, and counted nothing worthy their attention, but the glory of God, and the salvation of souls.

Animosity entertained by the government against them.

They were regarded however in a very different point of view by the present commissioners for the government of Ireland. Eleven years of political demerits had filled the republicans with bitter hostility towards them. The war had been a war of religion; the mass of the Irish nation had resolved to throw off their dependence upon England, or at worst to obtain that the religion of the people should be admitted to be the established religion of the state, and that the revenues of the church should be appropriated to their own clergy. It would never be well with the English ascendancy, thus reasoned the commissioners, till the influence of the Catholic clergy over their followers was annihilated: religion and politics would otherwise for ever go together: and the Irish Catholics under the direction of their priests would always be rebels in their hearts. The multitude in their nature are heady, flexible and inconstant; once deprive them of their own clergy, and send among them missionaries of the presbyterian and independent persuasion; and the establishment of the Protestant

religion in Ireland would not be less universal and complete, than it had been in England in the preceding century.

Persecution.

It was under the influence of such views, that the first measure of general policy adopted by the present administration, was to issue a proclamation, dated at Dublin on the sixth of January, reviving for Ireland an old law of the twenty-seventh of Elizabeth, which that princess had enacted for her own country, denouncing the penalties of high treason against all jesuits or other Romish priests who should be found in her dominions, and death to those by whom they should be cherished or concealed. This proclamation bore the signatures of Fleetwood, Ludlow, Corbet and Jones[y]. Another proclamation is said to have followed on this, declaring the celebration of mass to be a capital offence, and offering a reward of five pounds to every one who should give information of a priest, so that he might be apprehended[z]. This persecution is reported to have continued for two years[a].

Catholic population in general continue their abodes.

The same authority informs us, that, the nobles and persons of the higher class (*proceres, magnates ac nobiles*) being banished into Connaught, it was allowed to certain merchants, a few nobles who had no landed estate, and to all the common

[y] Hibernia Dominicana, p. 704, 705.

[z] Ibid, p. 708.

[a] Ibid, p. 706.

BOOK IV. 1653.

people, to remain in the other provinces, upon the express condition that they were not to depart more than one mile from the parish in which they resided, without a licence for that purpose[b].

1654. Cromwel proclaimed lord protector in Ireland.

The internal state of Ireland continued under the same administration during the latter half of the year 1652, and the whole of the year 1653. At the end of this period Cromwel was made protector; and the question of his being proclaimed under that title in Ireland produced a schism among the commissioners in the January of the following year. A meeting was held of these persons with three or four principal officers, where it was strenuously debated in what manner they should conduct themselves on the occasion. Ludlow peremptorily declared against the change which had taken place at home[c]. Jones appears also, but with moderation, to have ranged himself on the same side[d]. He afterwards married a sister of the protector[e]. In fine, it was carried by the majority of a single vote, that Cromwel should immediately be proclaimed. Ludlow on this occasion relinquished his seat as commissioner, but retained his appointment of lieutenant-general[f].

[b] Hibernia Dominicana, p. 707. A declaration that the Irish rebellion was at an end, was emitted by the government, 26 Sept. Cox, Vol. II, p. 72.

[c] Ludlow, p. 482.

[d] Thurloe, Vol. II, p. 149. Vol. IV, p. 606.

[e] Ibid, Vol. IV, p. 672.

[f] Ludlow, p. 482, 483, 484. Thurloe, Vol. II, p. 149, 163.

CHAP. XXVII.

1654. Henry Cromwel's first visit.

It was at this period that Henry Cromwel was sent over to Ireland by his father, as has been already mentioned[g], where he remained three or four weeks only, at the same time that his visit appears to have materially contributed to the tranquillity of the government there[g]. He recommended the removal of Ludlow from his place in the army, and the sending over Desborough in his stead[h].

Wise and beneficent schemes of the commonwealth leaders.

It has fully appeared in a variety of particulars in the preceding Book, that the leaders of what has contemptuously been called the Rump Parliament, from the death of Charles the First to the protectorate of Cromwel, were accomplished statesmen, men of comprehensive and liberal views, and earnestly devoted to the promotion of the welfare of their contemporaries and posterity. Cromwel, however disposed to calumniate the authors, willingly adopted many of their measures; and the ministers of Charles the Second, at the same time that they affected to hold up these men to the execration of future ages, could not avoid making it one of their first measures to reenact several of their most salutary laws in a parliament composed of king, lords and commons.

Plan of a union of England, Scotland and Ireland.

Among the projects particularly characterised by the largeness of the views of these men, was that of a law for uniting the three nations of En-

[g] See above, p. 62, 63.

[h] Thurloe, Vol. II, p. 150.

BOOK IV. 1654.

gland, Scotland and Ireland, and governing the whole by one legislature[i]. They had no narrow and exclusive notions of making one of these countries prosperous by the oppression of the other two, but were sincerely desirous of rendering them one fold with one shepherd, to wit, a band of enlightened statesmen, devoting their labours to the common benefit of all. They therefore determined that Scotland and Ireland should be represented by thirty delegates from each country, to sit in the common parliament of the empire[k].

Facilities that attended it, as it respected Scotland.

With Scotland the task of union was comparatively easy. The established religion of North and South Britain were nearly the same; there was no violence practised by the commissioners of the superior nation upon the people of the inferior; and it might reasonably be hoped, that those prejudices by which they were at present divided, would rapidly diminish.

Uncertainty as to Ireland.

With Ireland the case was different. The jarring religious creeds of the two countries were a source of perpetual misunderstanding; and it may be doubted whether all the sobriety, the profound wisdom, and unalterable justice of Vane would have been powerful enough, at least during the lives of the present generation, to have made the English and the Irish, the Ca-

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[i] See above, Vol. III, p. 310 to 320, 332.

[k] Ibid, p. 316, 598.

tholics and the Protestants, feel towards each other as brothers. For the present at least it was necessary that the persons who represented Ireland in the imperial parliament should be Protestants.

Representatives chosen for both countries.

In the document, known by the name of the Government of the Commonwealth, the plan of representation digested by the Rump Parliament, was faithfully transcribed with scarcely any alteration[l]. In consequence, in Cromwel's two parliaments of 1654 and 1656, sixty representatives were chosen from the two countries of Scotland and Ireland, and sat in the assembly. The government of both was greatly under the influence of the armies by which they were in a manner garrisoned; and the representatives sent from each were, almost to a man, the persons who were recommended by the protector and his agents for that purpose[m].

New administration: Fleetwood appointed lord deputy.

The government of Ireland appears to have been conducted by Fleetwood, Corbet and Jones only, during the greater part of the year 1654[n]. Jones returned to England in July[o]; and Fleetwood complained, that the country in which he commanded seemed to be forgotten by the supreme government at home[p]. At length Cromwel sent

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[l] See above, Vol. III, p. 598.

[m] Ludlow, p. 498, 568. Heath, p. 363, 382.

[n] Thurloe, Vol. II, p. 309, 404. [o] Ibid, p. 516. [p] Ibid, p. 530.

BOOK IV. 1654.

over a new council, with new instructions, who reached the place of their destination in the beginning of September [q]. The assessors that were now given to Fleetwood were, Robert Goodwin, who had repeatedly been a commissioner for Ireland in the time of the civil war, colonel Hammond, the son-in-law of Hampden [r], who had had the custody of the king in the Isle of Wight, and colonel Tomlinson [s], upon whom the melancholy task had devolved of conducting him to the place of execution. Corbet was also continued a member of the council [t]. Hammond died in the following month at Dublin [u]. Richard Pepys, lord chief justice of the upper bench, appears in the following year to have been named in his room [x]. At the same time that this new council was appointed, Fleetwood received a commission as lord deputy [y].

Transplantation is checked.

The most important article in the instructions to the new council, was one that authorised them, so far as they might judge fit, and conducive to the public service, to dispense with the orders for the transportation of the native Irish into Con-

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[q] Thurloe, Vol. II, p. 602. The instructions were dated 17 August. Ibid, Vol. VI, p. 416.

[r] Collins; art. Hobart, earl of Buckinghamshire.

[s] Order Book of Council, Aug. 18. Thurloe, *ubi supra.*

[t] Ludlow, p. 541.

[u] Whitlocke, Oct. 24, Nov. 2.

[x] Thurloe, Vol. IV, p. 673.

[y] He is first named thus, Sept. 22. Thurloe, Vol. II, p. 620.

naught, and empowered them by proclamation or otherwise to give public notice to that effect[z]. One cause of this measure appears to have been the impracticability of making assignments of lands in that quarter, sufficiently numerous and extensive to provide for all the persons whom it had been originally in the contemplation of government to transport[a].

1654.

1655. Ludlow recalled.

In January following Cromwel ordered Ludlow's commission to be demanded from him; but he, alleging some scruple to deliver it up except to a legal authority, was allowed to retain it under an engagement, that by the tenth of March he would present himself to the protector at Whitehall, and in the mean time would act nothing against the present government[b]. This conditional parole was afterwards enlarged, it being judged that his presence in England at this time might be attended with greater inconvenience to the state. An order therefore was issued from home for his being detained in Ireland[c].

But ordered to be detained in Ireland.

Henry Cromwel takes the government.

Henry Cromwel received a commission from his father to be major-general of the army in Ireland, about the same time that Fleetwood was appointed lord deputy[d]. He did not proceed however to take possession of this appointment,

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[z] Thurloe, Vol. II, p. 508.
[a] Ibid, p. 516.
[b] Ibid, Vol. III, p. 112, 142.
[c] Ibid, p. 407, 743.
[d] Life of Cromwel, by a Descendant, p. 693.

BOOK IV.

till the middle of the following year[e]. About the same time Fleetwood was ordered home[f], and never returned to Ireland; but he still retained his title of lord deputy, his commission having been made out for three years.

1655. Fleetwood ordered home.

From this time forward the government was actually vested in Henry Cromwel. The protector was of opinion that, though Fleetwood was sincerely attached to him as his father-in-law, he yet lived in too much familiarity with the anabaptists, his enemies. He therefore preferred to have him under his own eye[g].—At the same time that Henry Cromwel proceeded for Ireland, new patents were made out for judges in that country; to Richard Pepys to be chief justice, and John Cooke a puisné judge, of the upper bench; to sir Gerrard Lowther, who had for many years occupied that situation, a patent to be chief justice of the common bench, with James Donnellan for a puisné judge; and to Miles Corbet to be chief baron of the exchequer, with Edward Carey for an inferior baron[h].—In the end of the year Ludlow without leave returned to England[i].

Appointment of Irish judges.

Ludlow returns without leave.

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[e] Thurloe, Vol. III, p. 503, 581, 614, 691.

[f] Ibid, Vol. IV, p. 24.

[g] Ibid, Vol. II, p. 149, 150.

[h] Docquet Book of the Crown Office, July 9, 13. Bates, Part II, p. 63. Beatson, Political Index.

[i] Thurloe, Vol. III, p. 744. Vol. IV, p. 88, 100. Ludlow, p. 539, *et seqq.*

CHAP. XXVII.

1655.

Critical state of the Irish population.

The situation of Ireland at this time was eminently critical. A most extensive revolution had taken place in the property of the soil. A law had been made for the transportation of all the Catholic land-proprietors into the province of Connaught. The lower classes of the native Irish were permitted still to remain in the places of their former habitation. But severe laws had been made, and proclamations issued, against their priests and their religion. If they could have been supposed likely to remain good subjects, subsequently to what was called the pacification of Ireland, certainly the policy of transplantation and intolerance which had been adopted, was least of all calculated to conciliate their affections. The mass of the population was prepared to embrace any feasible opportunity that should be offered them, to shake off the yoke of their conquerors.

Disaffection among the new settlers.

If from the native Irish we look to the new settlers and adventurers, we shall not find the country in a more tranquil state. Great numbers of English had sat down in the east and the south. The native Irish, as many as had not estates of their own, were employed as their artificers and labourers. The whole began to assume the appearance of a flourishing colony. But the majority of the new settlers were anabaptists, and secretly disaffected to the government at home. What was worse, these discontented settlers had

BOOK IV. 1655.

many and powerful friends in England. Though Fleetwood was gone, they appear not to have been without their abettors in the councils of Whitehall.

Wise administration of Henry Cromwel.

Such was the state of the country, which Henry Cromwel was sent by his father to govern, unaided by the name of governor, or the authority annexed to that name. He was at this time a young man in the twenty-eighth year of his age, and certainly with none of the experience which should have prepared him for so difficult a situation. Yet he conducted himself in such a manner as to gain the applauses of all, unless we should except the anabaptists. He was a little too susceptible, too prone to suspicion, and apprehensive that all men, even his father, were forward to oppose and to thwart him. This was but natural for a young man, placed in so arduous a position. But his temper was admirable, and his prudence without a blemish.

His moderation in the treatment of different religious sects.

His principles were those of the utmost liberality in point of religion. It was "against his conscience, to bear hard upon any merely upon account of a different judgment[k]." And elsewhere he says, "Though I do not think God has given these men [the anabaptists] a spirit of government, yet I should be loth to lose them, if they may be kept[l]." Fearing, and having reason to fear, their violence, he practised great courtesy

[k] Thurloe, Vol. V, p. 710.

[l] Ibid, Vol. IV, p. 433.

to the presbyterians, obtaining their good word, and promoting their ministers. He went so far as to have his own child baptised in the cathedral church by one of their clergy[m]. He is even said to have conducted himself with such a generous impartiality, as to have gained the esteem of the royalists[n]. Thus studiously did he keep a balance between the different parties, the better to secure the public tranquillity. 1655.

His powers of government extremely limited.

He appears to have been considerably perplexed in his government, by divisions among his counsellors themselves. In one letter he complains, that the quorum, or smallest number of counsellors, that by his instructions was necessary to decide on any public business, was five, and that the council amounted in all to only five persons[o]. Steele, an anabaptist, by the interest of Fleetwood was made lord chancellor of Ireland, and a privy counsellor[p]; and he complains that by a new arrangement Goodwin was discarded, for no other reason that he could perceive, than that he constantly gave his support to himself[q]. 1656.

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[m] Bates, Elenchus Motuum, Part II, p. 63. Ludlow, p. 602. Milton, State Papers, p. 137, 138.

[n] Neal, Book IV, Chap. iii. Bates, *ubi supra*.

[o] Thurloe, Vol. IV, p. 24. He afterwards states another difficulty, the council being divided upon several questions three against three. Ibid, Vol. VI, p. 506.

[p] Ibid, Vol. II, p. 530. Bates, *ubi supra*. Beatson, Political Index.

[q] Thurloe, Vol. VI, p. 618, 650, 661.

BOOK IV. 1656.

The lord chief justice Pepys however, and Bury, who was made treasurer, came in to his aid; and he made much use of the advice of sir Charles Coote and lord Broghil, presidents of the two provinces of the north and the south[r].

His moderation towards the Catholics.

He conducted himself with no less moderation towards the Catholics, than the other subjects of his government. In the instructions given by Cromwel to Fleetwood on his being appointed lord deputy, it was directed, that the council should, as they might think conducive to the public service, dispense with the orders for the transportation of the Catholic land-holders into Connaught: and accordingly Henry Cromwel speaks of very many remaining in the three provinces of Munster, Leinster and Ulster, insomuch that he computes nearly one thousand of them as fit subjects of the vigilance of government, in consequence of a demonstration they had made on the rumour of an invasion by the partisans of the house of Stuart[s].

Number of Catholics undiminished.

It is notorious that the number of adherents to the Catholic religion in Ireland was not diminished, by all the severities exercised towards them on the event of their subjugation by force of arms. For this two reasons may be given. In the first place, as the southern half of the pro-

Their religion unmolested in Connaught.

[r] Bates, *ubi supra*. See above, Vol. III, p. 153.

[s] Thurloe, Vol. IV, p. 483, 509, 606.

vince of Connaught was expressly assigned them for a residence, it cannot be supposed that the exercise of their religion could be very effectually interfered with within those limits. They were altogether masters of this tract of country, restrained only by the garrison of Galway, and a few other walled towns and fortresses on the coast, kept up for the direct purpose of guarding against invasion. In the next place it is to be remembered, that the great mass of the population in the other three provinces was Catholic. Illiterate and ignorant men indeed, if left to themselves, easily forget their religion. And, had that been the case, it is not to be doubted, with the Protestant missionaries which the zeal of the times would have poured out upon them, the Reformation would soon have been as complete in Ireland, as it had proved in England under the Tudors. But there were many circumstances that prevented this. The Protestant preachers under Edward and Elizabeth were of the same blood and the same nation, as the audiences to which they addressed themselves. They had few prejudices in their hearers to contend with. The Protestant reformers were earnest and enthusiastic, while the English priests and friars were comparatively cold. In Ireland every thing was the reverse of this. The English missionaries had first the difficulty of another language to contend with.

Difficulties which prevent their conversion in the other provinces.

First, the difference of language.

BOOK IV.

1656. Secondly, the oppressed state of the peasantry. Thirdly, the indefatigable exertions of their priests.

The whole habits and manners of the Irish nation, were alien to theirs. The Irish were oppressed, conquered, trampled under foot, the objects of hatred to their masters. They were ill prepared for conciliation. But the most operative of all causes was the invincible perseverance of their priests. They hid themselves in caverns and holes of the rock. They preached in highways and in barns. They penetrated into every family. They exhorted; they called their hearers to confession; they gave absolution. They won the affections of their hearers. They disdained all worldly emoluments; they despised all sufferings. If some were torn from their flocks, if some were put to an ignominious death, others immediately stepped into their places, determined that the work of the Lord should never be deserted. The Dominican writers speak emphatically of two years of unremitted persecution[1]. It would seem as if the persecutors themselves at last grew ashamed of opposing brutal rigour and tyranny to so much meekness, patience, and virtue.

1657. Act for abjuring the Catholic faith.

Meanwhile the act that was passed in the present year for the discovery of Popish recusants, renewed to a considerable degree the calamities of Ireland. The two years' persecution of 1653 and 1654 had greatly subsided, partly through

[1] Hibernia Dominica, p. 706.

the increasing composure and prosperity of the different parts of the country, and partly from the moderation and good policy of Henry Cromwel, who presided over the whole. Bigotry and fanaticism themselves remitted much of their activity at sight of the order and industry which every where became manifest. 1657.

Its pernicious effects.

But the act for discovering Popish recusants, which was made the instrument of repeated iniquities in England, was fraught with a much greater degree of venom as it respected Ireland, where the majority of the inhabitants were adherents of the Catholic faith. The foes of the ancient religion were unavoidably awakened from their commencing lethargy by the introduction of a new and more barbarous statute, and not only endeavoured to put that in force, but were also induced to bring forward again into act the severities which had grown out of the acts of settlement. Henry Cromwel became early aware of the dreadful evils that would follow from the inforcing this iniquitous law. He writes to Thurloe, "The oath of abjuration begets much disturbance here. The Irish, upon apprehension hereof, sell off their cattle to buy horses, and put themselves into a shifting condition, either for force, or flight. Sober men are very apprehensive of the issue of this business. I wish this extreme course had not been so suddenly taken, coming like a thunder-clap upon them. I wish

Remonstrated against by Henry Cromwel.

BOOK IV. 1657.

the oath for the present had provided (though in the severest manner) for their renouncing all foreign jurisdiction; and, as for other, doctrinal matters, that some means had been first used for informing their judgments, with such ordinary, smaller penalties, as former experience has found effectual. I wish his highness were made sensible of this in time. In the mean while I have issued fresh directions to the army, to be careful in their respective duties[u].

It is mitigated by him.

This sage young man conducted himself conformably to the counsels he suggested, shewed a merciful disposition, and seldom allowed any to be put to the trial of this iniquitous alternative of abjuration[x]. His father, we have every reason to believe, whatever were the motives that induced him to assent to this atrocious law, entertained the same principles and views as the son, and exerted himself on every practicable occasion to reduce the statute to a dead letter.

Cromwel advances his sons.

It was at this time that Cromwel shewed himself particularly anxious to put forward his sons in eminent stations, the better to ripen his plan for rendering the supreme magistracy hereditary in his family. He surrendered the chancellorship of the university of Oxford in favour of Richard Cromwel, who was elected to the office

Richard made chancellor of the university of Oxford.

[u] Thurloe, Vol. VI, p. 527.

[x] Bates, Part II, p. 61.

in July[y], and a few months after established him as a member of the privy council[z]. Conformably to the same idea, he sent out a commission to Henry Cromwel, raising him to the station of lord deputy of Ireland; and he was sworn into the office on the twenty-fourth of November[a].

1657. and a privy counsellor. Henry made lord deputy of Ireland.

It does not appear at what time the young man was elected chancellor of Trinity College, Dublin; but it was probably in this year[b]. The donation of archbishop Usher's library, we may suppose, was made about the same time, and was meant to grace the elevation of so promising and popular an individual. Usher died in 1656. Cromwel honoured his merits with a funeral in Westminster Abbey[c]. We are told that cardinal Mazarine and the king of Denmark were candidates for the purchase of his library; but the protector forbade its being disposed of without his consent; and at length it is said to have been purchased by the officers and soldiers of the army of Ireland for the use of the college, at the price of twenty-two thousand pounds, that they might emulate a similar generosity of their military predecessors in the time of Elizabeth. Cromwel and his son, we are told, put a bar on this desti-

and chancellor of Trinity College, Dublin. Archbishop Usher's library purchased for the use of the public in that country.

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[y] Mercurius Politicus, July 30. Athenæ Oxonienses, Vol. II, Fasti, p. 119.

[z] Order Book, Dec. 31.

[a] Thurloe, Vol. VI, p. 634.

[b] Bates, Part II, p. 63.

[c] Whitlocke, April 17.

BOOK IV. 1657.

nation of the collection, lest, being added to the former library, it might appear of less significance, and proposed giving it to a new college or hall which they had it in their contemplation to erect[d]. This leads us to doubt whether the purchase were not made nominally by the army, but really by the protector. The collection now forms a principal part of the library of Trinity College.

Misfortunes of Ireland.

Ireland has been for ever oppressed, perhaps more than any other nation on the earth. The country is exquisitely beautiful: the people are comely, courageous, quick-witted, good-tempered and affectionate. It ought to have been of all countries the happiest. Its first misfortune is its position: a smaller island, overshadowed and overlaid by a larger, the government of that larger perpetually finding a fancied interest in keeping the inhabitants of the smaller, poor and helpless. The second misfortune was the difference in religion. The priests sought to avenge all the sufferings of the people of Ireland by keeping up their distaste to the faith of their more prosperous neighbours. The disadvantage arising from the difference of religion operated with double force under the rule of the English commonwealth. The Irish entertained the most invincible abhorrence of the creed of their conquerors: some of them fought for the dominion of a Catholic Euro-

[d] Parr, Life of Usher, p. 102.

pean sovereign; some for the house of Stuart: scarcely one could endure the ascendancy of the republicans, or of Cromwel.—These times have long since passed away. It is to be hoped that Catholics and Protestants will henceforth be brothers, the sharers of equal rights, and that Ireland will at length become all that the nature of her soil and the character of her population so peculiarly fit her to be. CHAP. XXVII. 1657.

It is however the province of this work to do justice to the government of Cromwel. It was necessary, first, to refute the most incredible and impossible aspersion that was ever cast on any government, that of Clarendon and others respecting the banishment of the Catholics of all degrees from the other provinces into Connaught. In the next place, it seems but justice to infer, from the project of the union of the three nations, entertained by the republicans, and cherished by Cromwel[e], that their purposes were designed to terminate in an impartial and equal administration to the whole. Whatever they were, they were brought to an abrupt and effectual close by the Restoration of Charles the Second. Conclusion.

The government of Scotland during this period furnishes slender materials to the pen of the historian. Monk had the command of the army for the whole time; and he acquitted himself in a manner that justified the opinion which had 1654. Administration of Scotland. Monk.

[e] See above, p. 445, 446, 447.

BOOK IV. 1654.

been formed of his talents, and the expectations of his master, the protector. We have no reason to doubt of the sincerity of his attachment to his illustrious chief. A letter of Cromwel has often been referred to, in which he says, writing to this officer, "There be that tell me, that there is a certain cunning fellow in Scotland, called George Monk, who is said to lie in wait there to introduce Charles Stuart; I pray you, use your diligence to apprehend, and send him up to me[f]." But this very letter, truly interpreted, affords an additional proof how entirely the protector relied on the fidelity of his officer. If he had entertained a doubt, he assuredly would not have written in this playful style. The language is intended to convince Monk of his full confidence, and to express his contempt of the insinuation which some persons had whispered against him.

1655. Scottish privy council.

In the summer of the year 1655 nine persons were appointed to be of the council residing in Scotland for the government of that country, Monk, Broghil, Howard, afterwards earl of Carlisle, Lockhart, Samuel Desborough, brother to the general, Adrian Scroop, and three more[g]. Broghil appears to have been the president of this council[h]. Samuel Desborough was appoint-

[f] Echard, p. 746. Skinner, Life of Monk, p. 78. There is nothing of this in Thurloe.

[g] Thurloe, Vol. III, p. 423. The names are differently given in Skinner, p. 72, and the numbers reduced to seven.

[h] Thurloe, Vol. IV, p. 526.

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ed keeper of the great seal[i]. Four Englishmen were made commissioners for the administration of justice to the people of England, George Smith, William Lawrence, Edward Moseley, and Henry Goodyere[i]. The Scottish court of session had been notorious for corruption; and our northern neighbours had been at first scandalised by the inflexible integrity of the judges sent by Cromwel[k]. At the request of these four, and that they might explain the local practices and customs of their country, there were afterwards added to the commission three Scots, Alexander Pearson of Southal, sir James Lermont, and Andrew Ker[l]. The Scots commissioners appear to have been afterwards changed; and in later lists we find the names of Swinton of Swinton, Dalrymple of Stair, Brodie of Brodie, sir William Lockhart, and the celebrated sir Archibald Johnstone of Wariston[m]. Burnet says, "During this period Scotland was kept in great order; there was good justice done, and vice was suppressed and punished: so that we always reckon those eight years of usurpation a time of great peace and prosperity[n].

1655. Desborough, keeper of the great seal.

Commissioners of justice.

Prosperity of Scotland.

[i] Ibid, p. 528.

[k] See above, Vol. III, 314, 315.

[l] Thurloe, Vol. IV, p. 528.

[m] These names were obligingly copied for me by a friend in Scotland, from a list published by lord Hailes, now become scarce.

[n] See above, Vol. III, p. 321.

CHAPTER XXVIII.

SECOND SESSION OF PARLIAMENT.—ONE HUNDRED EXCLUDED MEMBERS RESTORED.—INSTITUTION OF THE OTHER HOUSE.—NAMES OF THE MEMBERS.—ANALYSIS.—RICHARD CROMWEL.—MAJORITY OF THE HOUSE OF COMMONS HOSTILE TO THE COURT.—THEY DISPUTE THE PRIVILEGES AND AUTHORITY OF THE OTHER HOUSE.—PARLIAMENT IS DISSOLVED.

BOOK IV.

1657. Second session of parliament. One hundred excluded members restored.

THE time now approached for the reassembling of parliament; and there were various duties incumbent on the government previously to that occurrence. The petition and advice prescribed two things: first, the restoration of all those members of the representative body, who had been excluded from sitting in parliament otherwise than by the judgment and consent of the house of which they were members; and secondly, the nomination of certain persons, not exceeding seventy in number, nor fewer than forty, who were to constitute the other house in parliament, it having been determined that all parliaments in future should consist of two houses.

CHAP. XXVIII.

1657.

Both these regulations contained in them many important circumstances. In September 1656 about one hundred members were refused admission into the representative body by the arbitrary will of the protector and council; and it may well be imagined, that these persons were presumed to be ill-inclined to the present government, or that they must have been made so by the stigma thus despotically fixed on them. The addition therefore of so large a number of persons to the representative body, who must be supposed to be at least inquisitive and critical as to the newly established order of things, necessarily furnished a subject for much reflection.

Their disposition unfriendly to the government.

As to the question of another house to be organised, there were many advantages that were supposed to attend the ancient system of the government of this country by two houses of parliament. In the first place, it must be admitted that the introduction of any change in the civil or criminal laws of England was at least matter of grave consideration, and it was therefore conceived that some benefit would arise from the additional degree of deliberation that would inevitably attend the discussion of such change, first by one, and then by another house of legislature. In the next place, the house of lords had always been a court of final appeal in many judicial questions of the highest importance and delicacy; and this resort of appeal had of course been extinguished, by the revolution in the system of our

Institution of the other house.

Benefits proposed from it.

1. a more deliberate order of proceeding.

2. a check to the arbitrary proceedings of the commons against individuals.

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government, which had taken place upon the death of Charles the First. The house of lords had till that time been admitted as the highest court of judicature; and of consequence the privileges of the two houses had been kept perfectly distinct, as to matters of supposed offence which might come before them. The commons had no jurisdiction but over such breaches of the public peace as interrupted the regularity of their proceedings. They could not administer an oath; they could inflict no privation on any one of their fellow-citizens, except imprisonment; and, as that was supposed to be awarded in their own defence only, and for their security, the prisoner ceased to be held in durance, as soon as the commons ceased to sit. If they had any more serious grievance that came under their consideration, they either referred it for prosecution to the courts below, or brought it under the deliberation and sentence of the lords in the way of impeachment. But all these lines of demarcation had been removed by the abolition of that house. The commons had almost necessarily assumed all the powers which had hitherto been reserved for what was called the upper house: and, in the case of Lilburne, Naylor, and others, had taken upon themselves the infliction of fine, imprisonment, banishment for life, corporal punishment, and the deliberation whether or not the person accused before them should be adjudged to die.

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1657. Difficulties that attend the institution of the other house.

But the more momentous were supposed to be the authorities vested in a house of lords, the more arduous became the task to raise such an edifice from its foundations. Established courts and modes of proceeding, which have been known to our fathers, and our fathers' fathers for many generations, almost inevitably command, such is the constitution of the human mind, our veneration and deference. But the old house of lords seemed irrevocably to have passed away. The majority of its members had adhered to the king in the great contest between him and the nation; and those who had embraced the popular cause in the commencement, were necessarily displeased and alienated by the manner in which their functions and prerogatives had finally been abolished. Whatever therefore was to be done in the way of restoring this branch of the constitution, seemed to call for an entirely new construction. It was a formidable idea, that of attempting to create a house of lords. All the prejudices of mankind would be in arms against it. The friend of old institutions would be exasperated; the advocate of popular rights would be inflamed. The members of this house would be assailed on all sides as mushrooms and usurpers. They would be regarded as mere players, personating an importance to which they had no natural claim. Their origin would be investigated; and every thing ignoble that belonged to it, would be studiously

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distorted, and tenfold exaggerated. No person, but with the audacity of Cromwel, could have ventured on the execution of such a project. No person, without his profound knowledge of policy, and his deep insight into the nature of the human mind, would have had the slightest chance to succeed. What the issue of the present experiment would have been we can never know; since, by the death of Cromwel within nine months after it was made, the whole was immediately swept away, and became as if it had never been.

Perplexities of Cromwel on the subject.

Thurloe, in a letter of the first of December to Henry Cromwel in Ireland, describes in very natural terms the state of the protector's mind on the subject. "His highness has made some progress in the business; but nothing is yet brought to any conclusion. The difficulty proves great, between those who are fit and not willing to serve, and those who are willing and expect it, but are not fit. There are but seven or eight days left for the final resolution, there being a necessity that the writs issue forty days before the parliament meets. By my next I may possibly send you the names; but, I assure you, there is not any one man fully resolved upon as yet. But I beseech your lordship, do not suffer our friends of Ireland, who are of the house of commons, to absent themselves. I hear we shall have a full house, all the members who were kept out resolving to come in; and considering the number of our

friends who will be taken into the other house, we had need want none of those who abide with us[a]."

The writs were issued on the ninth, tenth and eleventh of December. Their number appears at first to have been sixty-one. The two first names were lord Richard, and lord Henry, sons to the protector. Forty-one of the number, exclusively of lord Richard Cromwel, were sworn in, and took their seats in the house. In assigning them their different descriptions Cromwel, though he declined the title of king, yet used the regal style, as "ourself," "our great seal," "our treasury," "our fleet," "our army," in the respective writs. Their names were as follow:

Issue of the writs.

Forty-two members sworn in.

Nath[l]. Fiennes, John Lisle } Lords Commissioners of our Great Seal.

Henry Lawrence, President of our Privy Council.

Charles Fleetwood, Lieutenant General of our Army.

Thomas Lord [Viscount] Fauconberg.

Charles Lord Viscount Howard[b].

Philip Lord Viscount Lisle.

George Lord Eure.

Roger Lord Broghil.

John Lord Claypole, Master of our Horse.

Sir Bulstrode Whitlocke, one of the Lords Commissioners of our Treasury.

John Desborough, one of the Generals of our Fleet.

Edward Montagu, one of the Generals of our Fleet, and one of the Lords Commissioners of our Treasury.

John Glyn, Chief Justice assigned to hold Pleas before us in the Upper Bench.

William Lenthal, Master of the Rolls in Chancery.

Sir Charles Wolseley, Baronet.

William Sydenham, one of the Lords Commissioners of our Treasury.

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[a] Thurloe, Vol. VI, p. 648.

[b] Raised to this dignity by Cromwel, 20 July 1657.

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Philip Skippon, Esq.	Sir William Roberts, Knight.
Walter Strickland, Esq.	Richard Ingoldsby, Esq.
Philip Jones, Esq, Comptroller of our Houshold.	Sir Christopher Pack, Knight.
John Fiennes, Esq.	Sir Robert Tichborne, Knight.
Sir John Hobart, Baronet.	John Jones, Esq.
Sir Francis Russel, Baronet.	Sir Thomas Pride, Knight.
Sir William Strickland, Knight and Baronet.	Sir John Barkstead, Knight, Lieutenant of our Tower of London.
Sir Richard Onslow, Knight.	Sir George Fleetwood, Knight.
Edward Whalley, Commissary General of the Horse.	Sir John Hewson, Knight.
Richard Hampden, Esq. [*eldest son of the illustrious patriot*].	Edmund Thomas, Esq.
Sir Thomas Honeywood, Knight.	James Berry, Esq.
	William Goffe, Esq.
	Thomas Cooper, Esq.

Twenty others are summoned.

The protector also honoured with summonses sir William Lockhart, our ambassador to the court of France, Monk, commander in chief in Scotland, Steele, lord chancellor of Ireland, together with Tomlinson, in actual service there, all of whom must be considered as by distance necessarily absent at the meeting of parliament. He added, to grace his list, the names of the earls of Warwick and Manchester, as well as that of the earl of Mulgrave, who, though one of Cromwel's council, did not take his seat in the house, viscount Say, baron Wharton, the earl of Cassilis in Scotland, and lord chief justice St John. Of individuals who may be considered as personally hostile to him, Cromwel summoned sir Arthur Haselrig, sir Gilbert Gerrard, one of the heads of the presbyterians, and sir Archibald Johnston of Wa-

riston. Lenthal, master of the rolls, and speaker of the Long Parliament, was omitted in the original list, but, intimating his chagrin at the oversight, was indulged by Cromwel with a summons. Sir Gilbert Pickering, chamberlain of Cromwel's houshold, was summoned, but appears not to have taken his seat. We also find in the list the names of Francis Rous, provost of Eton, William Pierrepoint, John Crewe, and Alexander Popham[c].

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History of lord Say.

The history of viscount Say is in some degree curious. He was one of those persons, who, early in the reign of Charles the First, discontented with the arbitrary principles of the king, and the tyranny of his proceedings, formed the project of emigrating to America[d]. He was among the original members of the committee of safety appointed by the parliament in 1642[e]. To his favourite son, Nathaniel Fiennes, was confided the defence of Bristol in the following year[f], who was con-

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[c] Ayscough MSS in the British Museum, No. 3246. This is an official copy on parchment, of "the original roll remaining in the Petty Bag." Against the names of the members who had actually taken their seats, is written with a different ink the word "sworn." In Thurloe, Vol. VI, p. 668, is a letter from the secretary of state to the ambassador Lockhart, of the date of December 10, inclosing a List of the Members of the Other House, nearly agreeing with the roll, but without the names of Pickering, Lenthal, Hampden, Cooper, and sir George Fleetwood; from whence we may infer that their summonses were issued subsequently to the date of this letter.

[d] See above, Vol. I, p. 209. [e] Ibid, p. 19. [f] Ibid, p. 116.

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demned to death for the premature surrender of that place, and, being pardoned, went into voluntary exile[g]. But here the history of the father and son separates. Fiennes became one of Cromwel's privy council, and was greatly distinguished by him as a minister of state. Lord Say felt the utmost aversion to the protector, and, disdaining all compromise, withdrew to the isle of Lundy in the west of England, to which there is but one access, so steep and narrow that ten men may keep out a thousand; and there in stern sequestration maintained his independence, and bid defiance to the executive government of his country[h].

His animosity to Cromwel.

Retires to the isle of Lundy.

Analysis of the Other House of parliament.

We cannot make a due estimate of this institution of the Other House, which was certainly one of the most extraordinary and critical measures of the protectorate of Cromwel, without entering into an analysis of the members of which it was composed. It was to stand in the place of the house of peers, which had grown up by gradual and insensible degrees to the preeminence it had possessed in the government of England, till, after a period in which it rapidly sunk into comparatively insignificance in the civil war, it was wholly abolished in February 1649[i]. Cromwel had to endeavour to seat such a band of statesmen and legislators within the walls of the ancient

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[g] See above, Vol. I, p. 211, 212.

[h] Echard, p. 716.

[i] See above, Vol. III, p. 14.

house of peers, such an assemblage of men who, either by character, importance in the state, or significance in some degree derived from their ample possessions, as should stand the fairest chance, with friends, with indifferent men, and with foes, to be considered as justly entitled to the weight and authority, which was designed to be attributed to them. We may be sure that the sagacity of Cromwel, and the wisdom and discernment of his advisers, were diligently exerted on this important point. The dukes, the marquises, the earls, and the rest of the ancient table of our peerage, were for the most part of necessity to be laid aside; and the business of the present government was to call together such a body of men, as might command immediate respect, and might prove the source and foundation of a house of lords, which should hereafter be deemed well entitled to exercise the important functions that were assigned them.

Enumeration of the more considerable members.

Cromwel placed at the head of the list his own sons, Richard and Henry. He added to them Fleetwood and Claypole, his sons-in-law, and Desborough and Jones, his brothers-in-law. In reviewing the list with the intention by which we are here occupied, it is necessary to confine ourselves for the most part to the forty-two persons who actually took their seats. Those to whom summonses were addressed, but who refused to obey

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them, seem in some respects rather to detract from, than to exalt the character of the assembly. It contained in it then, two peers, Fauconberg (also a son-in-law of Cromwel), and Eure, four peers' sons, viscount Lisle, Broghil, Nathaniel Fiennes and John Fiennes, two members of noble families, Howard, afterwards earl of Carlisle, and Montagu, afterwards earl of Sandwich, and four baronets. There were besides several persons whose presence might be thought to do honour to any assembly; Lawrence, president of the council, Glyn, chief justice of England, Hampden, eldest son to the illustrious patriot, Whitlocke, Strickland and Sydenham.

Members necessarily absent.

We may however add to these, though not the persons who declined to obey the summons of the protector, yet those who were occupied by their duties beyond the boundaries of England, and who but for that circumstance we may presume would have taken their seats. These were Steele, lord chancellor of Ireland, (and indeed Henry Cromwel, lord deputy,) Monk, the commander in chief of the army of Scotland, and Lockhart, our ambassador to the court of France.

Members named, who were unfriendly to the institution.

There is an appearance of want of wisdom on this occasion in Cromwel's summoning persons, who he probably knew would disdain the honour he professed to confer on them, the earl of Manchester, viscount Say, sir Gilbert Gerrard and sir

Arthur Haselrig. The earl of Mulgrave, the earl of Cassilis, lord Wharton and chief justice St John were likewise absent from the assembly.

Members born in the humbler ranks of society.

Cromwel also summoned some persons of obscure birth, and upon whom for that reason many persons flung a sort of contempt which they probably did not merit. The protector, by the station he held, was obliged to yield on some occasions an external deference to rank and wealth, to loud pretensions and that arrogance which from certain circumstances is enabled to find an echo in the apprehensions of the mass of mankind. We see him paying a certain attention to Fauconberg and Buckingham. But he looked through these things; and if ever there was a man who by his sagacity and inborn loftiness of soul, saw the persons around him in their inherent worth, and stripped of the trappings which in reality made no part of them, Cromwel was such a man. He therefore boldly called forth certain persons, in whom he found the qualities that in his eye constituted intrinsic value, and bid them stand among the first. Ireton was in this sense perhaps his creation. Such was Desborough; such was Berry [k]. Observe his language to Hampden, "Your troops are most of them old decayed servingmen, and tapsters, and such like. You must get men of a spirit that is likely to go as far as

Cromwel's penetration into the qualities of men.

[k] See above, Vol. II, p. 296.

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gentlemen will go." And he adds, "I must needs say that I enlisted such men as had the fear of God before them, and made conscience of what they did; and from that day forward they never were beaten, but beat the enemy continually[l]."

Aristocratical pride of the earl of Warwick.

But in the present instance perhaps he judged rashly, and thought that, because to his eye the veil of false appearances was removed, certain men whom he esteemed, would see with as much truth and good judgment as himself. He was deceived. The earl of Warwick, though entertaining a true value and affectionate regard for Cromwel, refused to sit in his house of lords. He declared that nothing should induce him to make himself the fellow of colonel Hewson and colonel Pride, of whom the first was said once to have been a shoemaker, and the other a drayman[m].

Character of Richard Cromwel.

of good sense, but unenterprising.

About this time Cromwel plainly meditated the appointing his eldest son, Richard, according to the power given him by the petition and advice, his successor in the protectorate. This young man, now in the thirty-second year of his age, was a person of sound understanding, but of an unenterprising temper. He had not therefore entered into the army in the civil war, like his brother; but he was a member of both the pro-

[l] See above, p. 362.

[m] Ludlow, p. 596.

tector's parliaments, and had been occasionally put forward in committees and public business. Cromwel's letters respecting his marriage in 1649, and his subsequent welfare, do infinite honour to the protector's affection and prudence as a father[n]. In the July of the present year Oliver resigned the office of chancellor of the university of Oxford, as incompatible with the dignity with which he had been invested, and in the close of the month Richard Cromwel was installed at Whitehall in his room[o]. In December he was made a colonel in the army, and sworn in a member of the council.

1657. His marriage.

Made chancellor of the university of Oxford.

and a privy counsellor.

Twice in this year he appears to have sustained a serious accident. The first time was on the twenty-third of January, when the parliament went to congratulate the protector on the defeat of Sindercombe's plot. A temporary stair-case broke down, and Richard Cromwel is said to have been much bruised[p]. For the second time we have no information how it happened, and are indebted for our only notice on the subject to Thurloe[q]. This is in August and September, when the secretary informs Henry Cromwel, that his brother's bones are well set, and that he is in a hopeful way of recovery. It is curious as a

Serious accidents that befal him.

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[n] Noble, Protectoral House of Cromwel, Vol. I, Proofs and Illustrations. QQ, RR.

[o] See above, p. 458, 459.

[p] Heath, p. 385.

[q] Vol. VI. p. 455, 493.

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matter of state-etiquette, that, the heir to the British dominions not having been considered as in danger of death, no notice of either accident is taken in the only two newspapers then existing, which were conducted by Nedham, and may be considered as court-gazettes.

1658. Sitting of the two houses.

When the parliament met again on the twentieth of January, the face of things, so far as related to the assembling of the legislature, was extremely altered. There were two houses: and the protector addressed them, "My lords, and gentlemen of the house of commons." The members of the other house met in the chamber which had formerly been occupied by the dukes, marquises, earls, viscounts and barons of England[r], who had sat there by virtue of the lands that had descended to them, or had been called to the great council of the nation by patent from our successive kings. We know little of their proceedings, for no journals of what they did have come down to us: we only know that this assembly drew off several of the most active and efficient members, who had hitherto conducted the proceedings of the representative body.

Little known of the proceedings of the other house.

Formidableness of the opposition in the house of commons.

As to what was now called the house of commons, that assembly was materially changed, not only by the removal of so many considerable men adhering to the court, to the other house, but also by the introduction of one hundred mem-

[r] Whitlocke.

bers formally chosen as the representatives of the nation, and kept out in the preceding session only by the arbitrary will of the executive. These persons, almost to a man, went into the ranks of the opposition. Their leaders were Haselrig, Scot and Weaver. There were also numbered among them many persons of talents and eminence, of whom we may mention sir Antony Ashley Cooper, Thorpe, late one of the judges, serjeant Maynard, and Mr. Chaloner Chute[s].

In ability.

As things now stood, these men, so long as the present parliament was in being, had almost the whole power of the house of commons in their hands. It was of the utmost importance for them to consider how they should use the advantage which had thus devolved to them. Cromwel, like a skilful politician, had contrived in the preceding session, to have matters of revenue for the most part settled for the ensuing three years, and could at any moment dissolve the parliament, without risking at the same time to dissolve the government. They could therefore hope for little more, than to place on record their protest against the existing state of things, and to leave that protest to work a suitable effect on the mind of their contemporaries.

In numbers.

Danger of a dissolution.

[s] Burton's Diary, Vol. II, p. 339, *et seqq*. Newdigate, who had received his writ of ease along with Thorpe (See above, p. 181), shortly after resumed his seat on the bench.

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1658.

The most eminent republicans not members of this assembly.

They had not among them the ablest of the republicans. Vane, Bradshaw and Marten had not been chosen into this parliament. Haselrig was not deficient in courage or consistency, and therefore had considerable weight; but he was of a violent temper, hot-headed and furious, and prone rather to consult the impulses of passion, than the deliberations of the understanding. The most valuable man among them was Scot, acute in judgment, comprehensive in his views, inflexible in principle, and steady and calm in the rules by which he governed his actions; yet not equal to any one of the three men who were now excluded from parliament, and took no part in the present crisis.

Their proceedings limited by the provisions of the Petition and Advice.

In fact, as the present leaders conceived, all that could be done by the opposition in parliament, lay in a narrow compass. They saw no ground they could occupy, save that which was left them by the petition and advice. This document had recorded two great principles, the corner-stones of political freedom; that no law should be made, and no tax levied, without the consent of the people assembled in parliament; and that no individual chosen by the people to represent them, and returned as such, should be excluded from sitting, but by the judgment and consent of the house of which he was a member. They were persuaded that, if they avowedly departed from the tenour of this memorable, and in

some respects valuable instrument, they would be immediately dissolved. And, if they could leave no other important legacy to posterity, they would at least not contribute to the undermining and abrogating the two important principles thus recognised.

Direct their animosity against the institution of the other house.

They looked with horror on the great innovation in the petition and advice, the institution of the "other house" in parliament. At the death of Charles the First, the parliament then sitting had definitively abolished the house of lords, and determined that there should be henceforth no negative upon the voice of the people of England assembled in parliament. The lords had, as they alleged, been justly cast out, having been found to be perpetual clogs upon the passing many good laws. At that period it had been resolved that England should be a commonwealth; and, if you join any other body of men with the representatives of the people, the parliament will no longer perform the work of the commonwealth. The thirtieth of January 1649 had set the seal to the liberties of the people. The king's head had not surely been cut off with his own consent; no, nor with that of the lords. *All* therefore that was then done must be revoked, if it were determined that the consent of the people in parliament was not sufficient for giving force to a law[t].

Views entertained by them.

[t] Burton's Diary, Vol. II, p. 377, 383, 388, 389, 390, 391. Nearly all these references are to the speech of Scot, 29 January.

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1658. Endeavour to limit the powers of this house.

They were reduced therefore to the looking into the petition and advice, to see precisely in what terms the description of this new institution of the "other house" was couched, and what powers were attributed to it. It was directed, that they should "not interfere in civil causes, except in writs of error, in cases adjourned from inferior courts into the parliament for difficulty, in cases of petitions against proceedings in courts of equity, and in cases of the privileges of their own house; that they should not proceed against any person criminally, but upon impeachment from the commons; and that all final determinations and judgments should be by the house itself, and not by commissioners or delegates nominated by the house [u]." To which was subjoined in the additional petition and advice, that they should "be summoned to give their advice and assistance, and to do such things concerning the weighty affairs of the commonwealth, as by the petition and advice did appertain to the other house of parliament."

Their reasoning.

Proceeding on these premises, the opposition affirmed on the present occasion, that all that the petition and advice had done, was to set up a permanent high court of justice to hear appeals, and to try impeachments. It was now attempted to call them a house of lords; and the

[u] Petition and Advice, Art. 5.

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consequence of this would be to erect them into an establishment coordinate with the representative body, to give them the power of making peace and war, of sanctioning or negativing laws, and of imposing taxes[x]. They were called to give "their advice and assistance respecting the weighty affairs of the commonwealth," not to control them[y].

inconclusive.

Nothing can be more inconclusive than this statement. The petition and advice says, that "no laws shall be altered and suspended, abrogated or repealed, or new laws made, but by act of parliament[z]," and that "parliament shall consist of two houses[a]." But the opposition took refuge in this, that, when this statute proceeded to describe the functions of the "other house[b]," it was silent upon the subject of making laws, and that, in statutes, and more especially fundamental statutes, nothing was to be taken up upon implication and inference, and that that only was law which was conveyed in express terms[c].

Appellation, the "house of lords," disputed.

The debate upon this business was opened, when, on the third day from the meeting of parliament, a message was brought from the house of lords, desiring that the commons would join with them in an address to the protector, to ap-

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[x] Burton's Diary, Vol. II, p. 391.
[y] Ibid, p. 447.
[z] Article 6.
[a] Article 3.
[b] Article 5.
[c] Burton's Diary, Vol. II, p. 388, 451.

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point a general fast[d]. The opposition immediately remarked, that the body from which the message came was recognised by the petition and advice as the "other house," but not as the house of lords, and warned their fellow-representatives what a crowd of consequences would follow from the allowing them a name, so well known under the old constitution, when the affairs of England were administered by a race of kings. The government-party on the other hand represented this as merely a frivolous dispute about a word; the representative body was described again and again in the petition and advice as the house of commons; there could not be two houses of commons; the "other house" was no appellation; they must have some name; and no name so natural and unavoidable, as that of lords, by which the protector had summoned them to sit[e].

Length of the debate.

This debate occupied almost the whole attention of the representative body. It began on the twenty-second of January; and it was not ended on the fourth of February.

Dangerous position of Cromwel.

The opinion was at this time deeply impressed upon the minds of many, that the power of Cromwel had now passed its acme, that the institution of a second house of parliament was the rock upon which his authority would split, that the

[d] Journals, Jan. 22.

[e] Burton's Diary, Vol. II, p. 377, 418, 432.

persons who had induced him to consent to this measure had lured him to his ruin, and that it was improbable he would ever be able to extricate himself from the dilemma in which he was thus involved.

Operation of public opinion.

Nothing could in fact be more perilous than the situation in which he stood. He had the majority of the house of commons, the only acknowledged body in which the power of making laws and of government was placed, against him. His other house was a mushroom, which the nation was little inclined to respect, and which, after being openly baffled and scorned by the representatives of the people, threatened to fall into utter contempt. The house of commons was little disposed to pass any laws, or adopt any measures, that should be calculated to strengthen the executive government.

Probable effects of a dissolution of parliament.

The obvious remedy for this position of affairs was a dissolution of parliament. But would this prove a remedy? Was there any probability that a new general election would produce a house of commons, better disposed to comply with the executive? The other house, which Cromwel had so publicly instituted, and seated in the chamber of the ancient house of lords, it would be absurd that he should give up and abolish. This would be to expose his administration to the highest derision. Almost all the persons whom he had dignified with this elevation, would be utterly dis-

Institution of the other house not to be revoked.

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tasted with his policy. They would feel the disgraceful situation into which they were cast, and would place all the ignominy they were destined to endure, at the door of its author. The government of Cromwel, which had always rested on a precarious footing, would become less stable than ever. Government relies for its security and permanence upon opinion; and what would be the opinion entertained of the protector, when he had been notoriously foiled in a measure of such cardinal importance?

Proceedings to be expected from a new parliament.

If Cromwel summoned a new parliament, the first question that would necessarily come before them, would be that upon which this parliament had been broken up, the character and functions of this other house. In what temper would this question be met? The house of commons had clearly obtained a triumph of some sort; and that in a point in the highest degree interesting as to their weight in the state. This was not a question they were likely to compliment away, or to surrender, as long as it was in their power to retain their ground. In what spirit the parliament of 1657 had voted the institution of another house, it is difficult to pronounce. But now, that the recruited house of commons of the present day saw it subjected to their senses, that they saw forty men of the protector's nomination seated in the chamber of the house of lords, and that Cromwel addressed them as two houses of parliament, "My

lords, and gentlemen of the house of commons," we may well believe that they would never submit to the thing that this phrase implied, but under circumstances of uncontrolable necessity.

Policy of Cromwel examined.

On such an occasion it is natural to ask, did Cromwel perceive the position in which he would be placed on the remeeting of parliament on the twentieth of January, and, if he did, did he conduct himself in the best manner the situation would admit? If he did not perceive it, this constitutes a material deduction from his character for political sagacity. But, if he did, it seems not easy to conceive how he could have proceeded more wisely. The scheme of two houses, and of the readmission of the hundred excluded members, appears in some manner to have been imposed upon him, though it is not practicable for us to disentangle all the perplexities of political intrigue, and tell how this was done. But the protector felt in himself a mine of energies and invention as yet unexpanded, that would enable him to meet the most arduous situation. He allowed the parliament to reassemble; for how could he do otherwise? He gave them opportunity, if they were inclined to use it, to shew their restiveness and perverseness, and to convince all men, who were friends to the public tranquillity, and were not prepared to suffer the commonwealthsmen to resume their sway, or to see the nation plunged into a deadly conflict of contending parties, that

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it was necessary for him to proceed in the most summary way and with the utmost decision.

1658. Unpopularity of the commonwealthsmen

It has been seen by many indications, that the commonwealthsmen were not popular. Republicanism was certainly distasteful to the majority of the people of England. Vane and his coadjutors, seeing this, had found it necessary to prolong the sittings of the shattered remains of the Long Parliament, and had adopted various expedients to insure themselves a majority in the next parliament, when a general election could no longer be deferred [f]. This circumstance, together with the mode of their government by a parliament sitting without intermission, had been unpalatable to the mass of their countrymen. The government of a single chief magistrate, and that a man with the extraordinary endowments of Cromwel, was generally preferred to the ascendancy of such a perpetual senate. It was therefore the interest of the protector, to render this alternative universally obvious: and he did not despair, when it should be fully seen that the triumph of the present opposition would lead to the restoration of Vane and his partisans, that, in case of another general election, he would meet a house of commons more disposed to enter into his views. —So critical was the present state of the government of England.

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[f] See above, Vol. III, p. 299, 448, 449, 450.

1658. Parliament dissolved.

Cromwel met this parliament, during their short sitting of fifteen days, no less than three times. Once at the opening of the session, when he apologised for the shortness of his speech, from the consideration of some infirmities under which he laboured [g]. The second time was five days afterwards, when he atoned for his former brevity by a long harangue, in which he endeavoured to lay before them the critical state of the nation, both at home and abroad, that he might take from them all excuse for wasting their time in fruitless debates. The third time was on the fourth of February, when he dissolved them.

Important functions of Cromwel's privy council in the beginning.

It is proper to remark in this place the way in which the character and importance of Cromwel's council had insensibly diminished. It was ordered by the Government of the Commonwealth, that no considerable step should be taken by the protector, no public officers appointed, nor proceeding foreign or domestic engaged in, without the advice of council [h]. They were even impowered, in the interval till the meeting of the first parliament of the protectorate, to raise money for the public defence, and to make such laws and ordinances as the welfare of the nation might require [h]. Accordingly, bills were regularly introduced among them, read twice, and then referred to a committee, after which they were read a third

[g] Journals, Jan. 20, 21.

[h] See above, p. 32.

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time, and presented to the protector for his assent[i]. The council made a copious use of this authority, insomuch that twelve of their ordinances bore date the second of September 1654, the very day before the meeting of parliament[k]. Thus circumstanced, the government, though nominally in a single person and the parliament, may be considered as to a great degree vested in the council.

They are afterwards greatly curtailed.

But, in proportion as Cromwel felt himself firmly seated in his supremacy, he appears to have laid aside in a considerable degree the shackles which had thus been imposed upon him. The council at first seems to have exercised all the authority, and more than all the authority, of what in modern language we call a cabinet; but they gradually declined into what we understand by a privy council, and even less than that. The council is directed to meet, unless extraordinarily summoned, only twice in a week. There is no notice in their Order Books of the issue of writs for the members of the other house; nor is the authority of the council once asserted in the fifth article of the petition and advice, which directs their nomination to be by the protector, with the approbation of the parliament. The eighth article indeed prescribes in general terms, that the government is to be exercised by advice of council, but is more specific in directing what shall

[i] See above, p. 43. [k] Ibid.

be done as to the appointment of a commander in chief, and field-officers at land, or generals at sea, after the death of the present protector, than during his life-time. In fact, the functions of the council seem by their books to be more exercised in hearing and answering petitions, than in any other particular. And it is sufficiently remarkable, that there is no notice in these books of the remeeting of parliament on the twentieth of January, nor of its dissolution fifteen days after, there having been no sitting of council between the twenty-ninth of January, and the ninth of February following.

CHAPTER XXIX.

PROCEEDINGS OF THE COMMONWEALTHSMEN.—PETITION OF THE ROYALISTS.—POSTURE OF THE FORCES TO BE EMPLOYED IN AN INVASION.—ORMOND IN ENGLAND.—A NEW CONSPIRACY ORGANISED.—PERSONS TAKEN INTO CUSTODY.—TREACHERY OF SIR RICHARD WILLIS.—ROYALISTS APPREHENDED AND DISMISSED.—COMMONWEALTHSMEN WHO FAVOUR THE ROYAL CAUSE.—THE WHOLE IS RENDERED ABORTIVE.

BOOK IV.

1658. Letter of Hartlib.

THERE is a letter preserved among the papers of Pell, Cromwel's agent to the Protestant cantons of Switzerland, which throws great light upon this interesting crisis. The writer is Samuel Hartlib, a Pole settled in England, the correspondent of Milton and Boyle, the subject of the panegyric of Cowley[a], and one of the most en-

[a] Essay IV, of Agriculture. The commendation is accompanied with a melancholy parenthesis: "So industrious and public-spirited men as I conceive Mr. Hartlib to be (if the gentleman be yet alive)." Hartlib appears to have unremittingly devoted his talents and his life to the service of his fellow-creatures, and, upon the Restoration of Charles the Second, to have been left in his old age to perish in want. Kennet, Register and Chronicle, p. 868, *et seqq.*

lightened and philanthropical men of his time. He had a pension of three hundred pounds *per annum* during the times of the commonwealth and Cromwel, which he lost at the Restoration [b].

Perils attendant on the present crisis.

Writing to Pell, precisely one week after the dissolution, he says, "Believe me, sir, it was of such necessity, that, if the session had continued but two or three days longer, all had been in blood, both in city and country, upon Charles Stuart's account. An army of ten thousand might have appeared with an ugly petition to the parliament for the reestablishing this person, presuming they should find a party favourable to their views in that assembly. Another army of ten thousand men was at the same time preparing to land in England, by the juggling (to say no worse) of our good neighbours on the continent. Besides, there was another petition set on foot in the city, for a commonwealth, which would have gathered like a snow-ball. But, by the resolute, sudden dissolving of the parliament, both these dangerous designs were mercifully prevented. Whether we shall have another parliament shortly, or a grand council of only *optimates* in the mean time, we cannot tell [c]."

Proceedings of the commonwealthsmen.

It was no common advantage that the republi-

[b] Kennet, *ubi supra*.

[c] Ayscough MSS in the British Museum, Letters to Pell, Vol. II, p. 48. See also Thurloe, Vol. VI, p. 781. And again, Vol. VII, p. 84.

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cans had gained, while they had a clear majority in the representative assembly of the people of England who voted against the chief magistrate; and a great portion of them at least shewed themselves thoroughly alive and active to improve the opportunity which was thus afforded them. One of the measures they set on foot was a petition to be presented to parliament, which, without openly attacking the authority of the protector, contained such particulars as reflected most on his government, and were calculated, in proportion as they were made the subject of discussion and discourse, to wean those who entered into the sentiment they were designed to convey, from the system now in operation. The prayer of the petition recommended, among other things, that no tax might henceforth be levied upon the people but by common consent in parliament; that no persons might be reputed offenders, or proceeded against by imprisonment or otherwise, but such as were found actually transgressors of the law; that speedy consideration might be had of the case of many well-affected persons, who had been long under imprisonment, and some of them in remote places; and that no officer or soldier might be cashiered, but by regular trial, and sentence of a court-martial. Of this petition about fifty copies were printed, which had already received many thousand signatures, and, when complete, it was intended that it should be presented

Petition set on foot by them.

by a certain number of the petitioners, fewer than twenty, that they might not be construed as disturbers of the public peace [d].

Petition of the royalists.

Another petition is said to have been on the tapis, with a purpose that it should be presented by ten thousand men, praying the parliament without delay to enter upon suitable measures for the restoration of Charles Stuart [e]. The advocates for a republican government, and the partisans of the exiled king, had for some time been to a considerable degree mixed with each other: and, as the republicans conceived they could make use of the royalists in the first steps of a convulsion, for purposes the most remote from the intentions of the latter, so the royalists were many of them willing to believe, that their new allies were, as they professed to be, sincere converts, and disposed rather to restore the line of their ancient kings, than to sit down in inglorious neutrality under the reign of an usurper. They could not therefore persuade themselves but that, in an assembly, the majority of whom were plainly desirous of extinguishing the authority of Cromwel, they should find a party disposed to enter into their views.

Project for inducing the military to rise against their general.

Coincident with these proceedings, there was another, which struck immediately at the very

[d] Thurloe, Vol. VI, p. 781. Ludlow, p. 598. A printed copy of this petition is to be found among the King's Tracts in the British Museum.

[e] Hartlib, *ubi supra*.

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foundation of the protector's government. This was no less than an endeavour on the part of the republicans to seduce the military from the obedience and fidelity they had hitherto observed to their general. How far this conspiracy had proceeded has never been published. But Cromwel was the very man to meet this with the promptest and most effectual remedies, and he shewed in this and a thousand particulars on this trying occasion, that he had lost nothing of the energies that had heretofore distinguished him. He found colonel Packer, who was the major in his own regiment of horse, and Gladman, who commanded the troop in the regiment most immediately attached to his person, implicated in the intrigue against him. Having dissolved the parliament on Thursday, he summoned all the officers in town to attend him at the Banqueting House on Saturday; and here, in an oration of two hours in length, he explained to them the present state of affairs, and the principle of his proceedings, in such a manner, as induced his auditors, with great fervour to profess their resolution to live and die in his cause. He then addressed himself to Packer and Gladman, and demanded an avowal of their sentiments. They answered, that they were most ready to fight against Charles Stuart and his adherents, but that they could not engage against they knew not whom, and for they knew not what[f].

Cromwel's discourse to his officers.

February 6.

Its effect.

[f] Hartlib, *ubi supra*. Thurloe, Vol. VI, p. 786. Ludlow, p. 599.

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Ludlow says, that the protector, suspecting that the troops quartered about St James's were particularly infected with these principles of insubordination, took the inspection of the watch at Whitehall for several successive nights upon himself in person[g].

1658. He inspects the watch at Whitehall nightly.

The death of Sexby, who was certainly a man of great resolution, and in his own apprehension a patriot, occurred at this time. He had come to England in the year 1657. He was the most active of all the enemies of Cromwel. He had organised the plot of Sindercombe for assassinating the protector[h]. Disappointed at the miscarriage of that undertaking, and deeply commiserating the catastrophe of his friend, he produced the tract of Killing no Murder[i], which was published in May, and was perhaps himself in England at the time of its appearance. He was betrayed to Cromwel, we are told, both in Holland and England[k]; and, being on the point of returning to the continent, he was apprehended on ship-board, on the twenty-fourth of July[l]. Whether for want of evidence, or from the compassion of Cromwel founded on former intimacy, he was not brought to trial, but continued for months a prisoner in the Tower. This compelled inactivity proved too

1657. Sexby taken, and sent to the Tower.

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[g] Ludlow, p. 598. [h] See above, p. 332. [i] p. 388.

[k] Clarendon, State Papers, Vol. III, p. 357.

[l] Mercurius Politicus, July 30.

BOOK IV. 1657. much for a man of his restless disposition. In October he sent for the commander of the fortress, and confessed to him, that he had been the instigator of Sindercombe, that he had come over himself with a similar design, and that he was the author of the tract published in the preceding May [m]. He died under confinement in the middle of January, having been, as was reported, long sick, and distracted in mind.

1658. Dies.

Preparations for invasion in Flanders.

The next circumstance that demanded the protector's attention, was the invading army reported to be ready for immediate transportation from Flanders. Cromwel says, in his speech to the parliament on the twenty-fifth of January, that sloops were already hired from the Dutch with the money of Spain, to convey four thousand foot and one thousand horse to our shores [n]. And again, in his speech on the dissolution, on the fourth of February, he adds, that he had received fresh intelligence within twenty-four hours, that Charles Stuart had an army at the water-side ready to be shipped for England [o]. Clarendon, whose cue it was to represent the alarms of the English government as fallacious, and the abortive attempts of the exiles as rare, undertakes to throw a sort of ridicule on these apprehensions, and to repre-

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[m] Thurloe, Vol. VI, p. 560. See above, p. 390.

[n] Burton, Diary, Vol. II, p. 362.

[o] Philips, Continuation of Baker's Chronicle, p. 632.

sent matters as if there had been no such readiness for an invasion as Cromwel and his ministers pretended[p].

1656. Troops held in readiness to embark.

There are however many particulars in Clarendon's narrative which by no means accord with the light colours he gives to the present position of affairs. A treaty had been concluded and ratified between Charles and the Spaniard in April 1656, by which the latter engaged to supply six thousand foot, with suitable ammunition, and vessels to transport that force, whenever a favourable opportunity should offer to render the invasion effective[q]. Shortly after Charles was encouraged by the Spaniard to form four regiments of English, Scots and Irish, which were filled with greater expedition than could have been expected[r]. Towards the autumn Condé was taken by the Spaniards from the French, a great part of the garrison of which place consisted of Irish; and it was contrived that these regiments after the surrender should enlist in the service of Spain, under the idea of being employed to countenance the restoration of the exiled king[s]. Winter was the season in which only the royalists deemed the invasion would be practica-

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[p] Clarendon, Vol. III, p. 605, 606.

[q] Ibid, p. 583. See above, p. 282.

[r] See above, p. 282.

[s] Clarendon, p. 608, 609.

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ble[t]: but several circumstances, and particularly the miscarriage of Sindercombe, caused it not to be undertaken in the winter of 1656[u].

1657. The expedition is deferred.

It may well be supposed, that this expedition, though deferred, was by no means given up. And Clarendon expressly states, that the king thought he should have much use for the aid of the Spaniard in the ensuing winter[x]. The royalists at home, at least the greater part of them, the longer the invasion was procrastinated, became the more impatient of the compulsory forbearance they were reduced to observe[y]. Meanwhile sanguine expectations were formed of the advantage that would accrue to the cause of the malcontents, if the explosion could be deferred till after the reassembling of the parliament. The change of the constitution of the legislature which had been determined on, inspired the highest hopes, that Cromwel would find his hands full of the business arising out of the internal dissentions, the moment that period arrived. They believed, that the commons would shew themselves retrograde to Cromwel's desires[z], and that the consequence would be the throwing every thing into confusion. Full of these ideas, Charles sent the marquis of Ormond upon a secret com-

1658. Marquis of Ormond in England.

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[t] Clarendon, Vol. III, p. 613.

[u] See above, p. 331, 332.

[x] Clarendon, Vol. III, p. 612.

[y] Ibid, p. 615, 616.

[z] Ibid, p. 616.

mission to London, to stimulate the activity of some, to restrain the impatience of others, and to observe on the spot in what preparation his subjects were to receive him. Ormond arrived in London about the time the parliament met[a], concealed himself in the metropolis for three weeks, and finally was fortunate enough to get away in safety, and return to his master at Bruges[b].

Sanguine expectations of the republicans.

The same state of things that stimulated the royalists, filled the republicans with the warmest expectations. While a portion of this set of men that was in the parliament, exerted themselves to extinguish the privileges of the house of lords, and in reality to undermine the authority of the executive magistrate, another portion entered into cabals, more immediately, and with greater violence to effect the same purpose. They believed that the time was now arrived, when the system of things which they loved, might with no great difficulty be reduced to practice. They believed that the proud protector had been smitten with judicial blindness, that his wonted craft had forsaken him, and that he was at length in his presumption and folly precipitating himself from his ill-gotten elevation. They manufactured certain manifestoes, which are said to have been composed in the same strain as those of the fifth-monarchy men twelve months before, and applied

A new conspiracy organised.

[a] Clarendon, Vol. III, p. 616.

[b] Ibid, 605, 618.

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themselves diligently to disperse them through the nation[c]. A very short number of days would probably have elapsed, before they broke out into action[d].

Commonwealthsmen taken into custody.

Cromwel however remained undismayed at the perils which environed him on every side. He committed Hugh Courtney, and John Rogers, the preacher, who had been active in the dispersion of the seditious pamphlets which were regarded as the manifesto of the party, to the Tower, on the day of the dissolution of parliament, or the day before. Portman, who had been secretary to Blake on board the fleet, but was lately implicated in these cabals, was also apprehended[e]. Cromwel at the same time addressed a letter to Bark-

[c] Mercurius Politicus, Feb. 11. Public Intelligencer, Feb. 15.

[d] The Collection of Thurloe's State Papers entirely deserts us on this interesting occasion. They do not contain a word in relation to this conspiracy. Whitlocke's Memorials, though imperfectly, supply the deficiency. They are indeed extremely concise in this place; but they are more than usually precise and dogmatic. He says, February 3, "At this time the Fifth-Monarchy men began again their enterprises to overthrow the protector and his government by force, whereof there were clear discoveries." And, the next day, "Some were rejoiced at the troubles, and were suspected to be assisters in the new designs of insurrection. Divers were imprisoned upon the new plot; and Cromwel and his council were busy in the examinations concerning it. Thurloe did them good service: major-general Harrison was deep in it." February 12, "Divers seditious books were taken of the conspirators."

[e] Public Intelligencer, Feb. 8. Journals, Feb. 26, 1659. The warrant for their apprehension is in Thurloe, Vol. VI, p. 775.

stead, lieutenant of the Tower, without the formality of a warrant[f], directing him to take into custody major-general Harrison, Mr. John Carew, late a member of the council of state[g], and others. Against these persons the government proceeded no further. Cromwel still entertained so much forbearance for the republicans, that he never suffered sentence of death to pass against any of them, except in the case of Sindercombe, who had united with the royalists in a plot for assassinating him. Or perhaps he was unwilling to exasperate a party which had once been his allies, and the majority of which still preferred to endure the ascendancy of the protectorate, rather than the restoration of the exiled family. 1658.

Harrison said to be engaged in the conspiracy.

Whitlocke says, "Major-general Harrison was deep in this plot." This statement leads us to remark upon the groundlessness of common fame, and the small justice of a reputation built up on this basis. It has already been observed, how often Cromwel, from the mere jealousy he felt of a virtue of a higher and a nobler stamp than that which he found himself able to practise, had encroached upon the personal liberty of Harrison, and thrown him into durance[h]. There is something in the air of a prison, that to vulgar appre-

[f] Bethel, Interest of Princes, p. 342.

[g] See above, Vol. III, p. 234, 292.

[h] See above, p. 386, 387.

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hension taints the character of him who has once been inclosed in its walls, and takes from the fresh and wholesome hue it would otherwise present. It is thus that Whitlocke judges. Because Harrison had been repeatedly a butt to the jealousy of a tyrant, this circumstance, instead, as in all reason it ought to do, of awakening men's indignation against his oppressor, makes them regard the sufferer with an eye of suspicion, and decide that he is not altogether undeserving of the aspersion which men in power have cast upon him.

Sealed Knot.

Meanwhile the partisans of Charles the Second were incessant in their intrigues. Cromwel, one of whose peculiar endowments was to discover the secrets of his adversaries, and who was ably seconded in this matter by his secretary Thurloe, held the string of all their movements in his hand, and played with them at his pleasure. Among the adherents of the royal exile residing in England, there was a select band, that had assumed to itself the appellation of the Sealed Knot, whose counsels were listened to with greater deference in the court of this prince, than those of his louder and more fervent partisans, and who kept themselves aloof from the rest; the plan being, that, while they decided in chief on all measures, they were to remain unknown and at a distance from the vulgar royalists. These were the earl of Oxford, John Bellasis, created lord Bellasis by Charles the First, and uncle

to the young nobleman who had just married Cromwel's daughter, colonel John Russel, brother to the earl of Bedford, sir Richard Willis, sir William Compton, and sir John Grenville. The principal person in this band was sir Richard Willis [i]. This man had, some years before, fallen into the hands of Cromwel as suspected of agency for Charles the Second, and, partly by threats, and partly by promises, had been induced to enter into a secret league with the protector [k]. Cromwel undertook to convince him, that, under the vigilance of the present government, the royalists had not the smallest chance, and that of consequence it was the mutual interest of all parties, that he should receive timely information of their projects, by means of which he could save the nation from scenes of violence, and the royalists themselves from untimely calamities and a disgraceful death. It was agreed between them that things should be managed so, that Willis should never be brought into question, and never obliged to give evidence against any one, but that all should seem to come from inferior agents, who were alone in any case to be brought forward, and made to aid the prosecutions [l]. Willis was also employed

Treachery of sir Richard Willis.

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[i] Philips, p. 640. For some particulars of the character of Willis, see above Vol. I, 493, 494.

[k] Echard, Third Edition, p. 727.

[l] Ibid, p. 727. Burnet, Own Time, Book I.

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among his brother-counsellors in raising difficulties and suggesting impracticabilities, while the Sealed Knot, governed, as they believed, by his superior prudence, checked the impetuosity of their inferiors, and found that things were not yet ready for a crisis, and that the present was never the right time for an explosion [m].

Instance of the minuteness of Cromwel's intelligence.

An instance of Cromwel's felicity in the discoveries he made, is related, which may with sufficient propriety be introduced in this place. A gentleman who had been high in the confidence of Charles the First [Gregorio Leti says the duke of Richmond], asked Cromwel's leave to travel, which was given on this condition that he should not see the royal exile. When the gentleman returned, he boldly presented himself to Cromwel, who asked him, whether he had observed the conditions upon which the indulgence

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[m] Clarendon, p. 669, 670. An attempt was set up to vindicate the sincerity of Willis to the royal party. A romantic and incredible story is told by Echard, p. 728, 729, and seems to have been first published in June 1659, of a project on the part of Willis to assassinate Morland, by whom his infidelities were said to have been first discovered to the king. Willis applied to Morland to contradict this tale; and Morland so far complied with his desires, as to write a letter, dated 1 March 1660, to state that he had never gone to the continent to discover Willis to the king, as there asserted, nor in fact had ever been in Flanders in his life. He adds, that he had not known Willis so much as by name. This Morland is the same person that was Cromwel's agent to the Protestants in Piedmont: see above, p. 209, *et seqq.*

had been granted. The royalist answered, he had. Then said Cromwel, "When you met Charles Stuart, who put out the candles?" This unexpected question startled the other. "And what," proceeded Cromwel, "did Charles Stuart say to you?" The gentleman assured him, that nothing confidential passed. "Did he not give you a letter?" This also was denied. Cromwel said, "The letter was sewed into the lining of your hat:" and, taking the hat, and discovering the concealed paper, he sent the delinquent to the Tower [n].

Cromwel causes Ormond to withdraw.

Willis was of course one of the principal persons trusted by Ormond in his late expedition into England; and Cromwel, true to his engagement, suffered the marquis both to come here, and to remain, unmolested, secure that, as he possessed the clue of his movements, he could arrest them whenever they became too serious. After a time however, the protector accosted Broghil with the intelligence, "An old friend of yours is just come to town." Broghil asked, "Who?" and Cromwel answered, "The marquis of Ormond." Broghil protested that he was wholly ignorant of the matter. To which the protector replied, "I know that very well: but he lodges in such a place; and, if you have a mind to save your old acquaintance,

[n] Welwood. Ludlow, p. 608, 609.

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let him know that I am informed where he is, and what he is doing[o]."

1658. Proclamation against Catholics and Royalists.

Ormond however was no sooner gone, than Cromwel proceeded to take proper measures to baffle the intended insurrection. The first thing he did was to publish a proclamation against Catholics and royalists. The purport of this measure was intimated by a message from the new house of lords the day before the dissolution, desiring the commons to join them in an address to the chief magistrate, that he would be pleased to issue a proclamation, commanding all such persons to withdraw, and not approach within twenty miles of the metropolis[p]. This proposed severity however was considerably moderated in the proclamation published about the end of February, which only enjoined these persons for several weeks to come, not to depart more than five miles from the place of their fixed abode[q]. Immediately after this, colonel Russel and sir William Compton, two members of the Sealed Knot, with sir William Clayton and some others, were apprehended, and sent to the Tower[r]. These were afterwards, agreeably to the engagement of Crom-

Royalists arrested.

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[o] Budgel, Lives of the Boyles, p. 59. Morrice, Life of Orrery.

[p] Journals, Feb. 3.

[q] Mercurius Politicus, Mar. 4.

[r] Heath, p. 402.

wel to Willis, set at liberty. Willis himself appears to have been among the number at this time taken into custody[s]. CHAP. XXIX. 1658.

There were three persons, respecting whose intentions Ormond had been most especially anxious during his late visit. These were colonel Alexander Popham of Wilts, colonel Richard Norton of Hampshire, and John Stapeley in Sussex[t]. They had all of them been strenuous commonwealthsmen. Popham and his father had been expressly excepted from pardon by Charles the First in 1643; his brother was one of the admirals who had distinguished themselves by their valour in the Dutch war, and died in the service in 1651; and he had himself been a member of the council of state in the first, second, and fourth year, and was summoned by Cromwel as one of his house of lords so lately as the preceding December. Colonel Richard Norton had been one of the protector's most familiar friends, who addressed him by the appellations of Dear Norton and Dear Dick in letters of 1647 and 1648[u]. He was likewise particularly instrumental in bringing about the marriage of Richard Cromwel[u]. The father of Stapeley had also sat in the first, second and fourth councils. He had even been a mem-

Commonwealthsmen seduced by Ormond and others.

Alexander Popham.

Colonel Richard Norton.

John Stapeley.

[s] Heath, p. 401. Thurloe, Vol. VII, p. 144.

[t] Carte, Life of Ormond, Vol. II, p. 177.

[u] Noble, Proofs and Illustrations, QQ.

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ber of the court that tried Charles the First, and had signed the warrant for his execution.

1658. The republican party becomes weaker and less zealous.

These three persons were understood, and as it should seem on no slight grounds, to be now favourable to the royal cause. But such is the fragility of human friendships and of party-attachments. The firm footing of republicanism was beginning to give way; and the ice upon which the generous adventurers in this cause had committed themselves, was cracked and splitting on every side. It was the energy and character of Cromwel in particular, that checked this reaction. Popham, Norton and Stapeley, though they had each of them separately given assurances of their good will to the royal cause, were held in such awe, that no one of them would be brought to see Ormond, or to hold intercourse with the other two[x].

Conference of Cromwel with Stapeley.

In the month of March Cromwel sent for Stapeley, and undertook to expostulate with him on his conduct. He assumed the tone of an old friend of his father, and endeavoured to shew him the inevitable ruin on the brink of which he stood. According to Stapeley's account, the protector first met him with a severe look, then expressed himself in the language of kindness, and finally dismissed him with benignity[y]. Cromwel thought

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[x] Carte, Life of Ormond, Vol. II, p. 178.

[y] Thurloe, Vol. VII, p. 82.

thus by gentle means to bring back the young man to the paths of sincerity and plain dealing from which he had wandered. But he mistook the character of the individual towards whom he used so much forbearance. Stapeley appears immediately to have returned to his new associates, rather confirmed in his error by the gentleness and humanity with which the chief magistrate had treated him. He said to himself, The exalted person who has conducted himself towards me so like a father, will never at worst proceed towards me with the severity that is employed against a public offender [z]. The protector however was not accustomed to be trifled with, and caused Stapeley to be talked to in another manner. The consequence was a penitentiary letter from the young man to Cromwel, in which he expressed the bitterest sorrow for his disobedience, concluding that, though thoroughly sensible of his follies, he feared he had sinned too deeply ever to be honoured again with the protector's confidence [a]. Cromwel afterwards even permitted him to be used as a witness in court against the persons with whom he had caballed.

Treats him with severity.

On the twelfth of March the protector summoned the lord mayor and common council of the city of London to attend him at Whitehall, that he might explain to them certain particulars inti-

Sends for the common council to attend him.

[z] Thurloe, Vol. VII, p. 86, 88, 89.

[a] Ibid, p. 25.

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mately connected with the public tranquillity. He informed them of the residence of Ormond in the metropolis during a part of the months of January and February, and the exertions that had been made on all sides to organise an insurrection. He told them that Charles Stuart had eight thousand men quartered at Bruges, Brussels and Ostend, ready to pass over into England, and twenty-two ships prepared to transport them. Under these circumstances he emphatically recommended to the authorities of the capital, to apply their diligence to the just formation of their militia, and to take care to settle the direction and command of this force in pious and sober men, well affected to the government, and free from all taint or suspicion of faction and discontent[b].—Four days after, a deputation waited on the protector with a loyal address, expressive of the city's firm adherence to the petition and advice, and their determination to oppose to the utmost with their lives and fortunes, the mischief that threatened their country[c].

The rising is deferred.

Neither the threatened insurrection at home nor the invasion from abroad came to maturity. The malcontents in the counties stood in awe, as we have seen, of the sagacity and energy of the national rulers, and placed small confidence in

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[b] Public Intelligencer, Mar. 16.

[c] Mercurius Politicus, Mar. 18.

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each other. They resolved therefore to rest upon their arms, till they saw a foreign army, with king Charles at their head, actually landed on our shores. Then they did not doubt, by a simultaneous rising, to render the invasion effectual. They believed, as malcontents are apt to do, that the mass of the nation was on their side. They doubted not, when there was sufficient encouragement, that all England, as one man, would rise against the usurper. They believed that disaffection had spread itself widely in the ranks of Cromwel's army, that the protector would find himself obliged on that account to draw together the military in one place, and would thus leave all other parts of the nation, except that where he was actually present, at the mercy of the royalists [d]. They believed themselves, by secret practices, masters of Hull [e]; they counted upon the whole coast of Norfolk, Suffolk, Essex, Kent and Sussex; and they had prepared a formidable rising in the West [f]. The royalists even in the metropolis were in considerable numbers; and they persuaded themselves that by a sudden explosion they should make themselves masters of the capital [g]. Yet all

Confident expectations of the malcontents.

[d] Carte, Original Letters, Vol. II, p. 118.

[e] Thurloe, Vol. VII, p. 46, 47, 124.

[f] Carte, Vol. II, p. 122, 123. Thurloe, Vol. VII, p. 77, 78, 99. Heath, p. 403.

[g] Thurloe, Vol. VII, p. 77.

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this they resolved to suspend upon the event of a foreign invasion.

1658. Formidable posture of the invaders.

As to that point it was said, according to many accounts, that ten thousand foot and one thousand horse supplied by the Spaniard, were in actual readiness, and would be transported in a few weeks or a few days[h]. Monsieur Marsin, second in authority to the prince of Condé, was appointed to command the expedition; and king Charles had actually conferred on him the insignia of the garter, the more to grace the undertaking[i]. The king was to accompany the enterprise; but the military proceedings were to be under the direction of the general. Yet it may be doubted, whether Spain had at any time seriously determined to execute this project. Cromwel took care to have Ostend and the neighbouring ports blocked up by English frigates; and it was said that the Spaniard only waited for the removal of this squadron to commence his embarkation. An insurrection at home they conceived would infallibly produce the effect of opening the passage[k]. Thus the malcontents waited for the landing of the invaders as the signal for them to declare themselves; and the in-

They hesitate to proceed.

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[h] Carte, Original Letters, Vol. II, p. 127. Thurloe, Vol. VII, p. 79.

[i] Thurloe, Vol. VII, p. 27, 79. Heath, p. 403. Ashmole, Order of the Garter.

[k] Carte, Original Letters, Vol. II, p. 127, 132.

vaders looked for a scene of commotion and disturbance, as that which should enable them to make the passage in safety.

Recapitulation.

So perilous was the state of the English government in the beginning of the year 1658. A majority of the parliament being determined to thwart the measures of the protector, afforded an encouragement to every open and every secret enemy, that had not occurred since the commencement of the commonwealth. They all seemed to see that this was the time for them to be doubly assiduous in pursuing their different intrigues. A petition was put forward by the republicans for reducing the power of the protector to a cipher. Another petition was said to be prepared in express terms for the restoration of the Stuarts. A conspiracy was organised by certain members of the republican party to take up arms for the overthrow of the government. The royalists were ready in the north, in the east, in the west, in the south, and even in the metropolis, to appear simultaneously in insurrection. A foreign army was quartered at Brussels, at Bruges, and at Ostend, prepared to invade us. Amidst these dangers which threatened the government on every side, undoubtedly nothing could have saved them from destruction short of the dissolution of the parliament. That capital measure being effected, Cromwel applied himself with vigilance to counteract the progress of discontent, to crush

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the different petitions of the disaffected, to arrest the most dangerous republicans, to organise the city-militia, to check the appearances of mutiny in the army, to trace by the instrumentality of his spies the communications of the purposed insurgents, and to block up the ports of Flanders so as to prevent the coming out of a foreign enemy.

CHAPTER XXX.

TRIAL AND EXECUTION OF SIR HENRY SLINGSBY. —OF DR. HEWIT.—MORDAUNT ACQUITTED.—PLAN FOR SURPRISING THE METROPOLIS.—TWO OF THE CONSPIRATORS HANGED AND QUARTERED.—DEATH OF WARWICK.

1658. Proceedings against the persons engaged in treason resolved on.

THE next thing the government had to consider was, how to proceed respecting those persons who had been unequivocally detected in projects for raising war, and plunging the community in bloodshed. Thurloe very justly observes in a letter to Henry Cromwel, that it was necessary for the rulers so to conduct themselves, that the country should not every year periodically be exposed to such attempts as the present[a]. This coincides with the remark of Clarendon[b], that winter was the season in which only attempts were to be tried upon England. It was resolved therefore that some examples should be made, to deter men from such aggressions in future. The principal victims fixed on were Dr. Hewit, an episcopal clergyman, who seems to have been indefatigable in en-

[a] Thurloe, Vol. VII, p. 84. [b] See above, p. 499.

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listing new partisans to give effect to the insurrection [c]; and sir Henry Slingsby, who was deeply involved in Penruddock's attempt [d], but who had been spared at that time, and had since been several times a state-prisoner in the castle of Hull [e]. Nothing it seems could deter this generous loyalist from at all times expressing his partialities in the most unequivocal manner, or from entering into any project of conspiracy that was set before him [f]. A third intended victim was John Mordaunt, next brother to the earl of Peterborough. This gallant youth, though only twenty years of age [g], and lately married to a young lady of great spirit and beauty, could not withhold himself from what he deemed so auspicious an occasion for pressing the restoration of the legitimate successor of so illustrious a line of kings [h].

High court of justice.

England was not yet in a state of tranquillity that would authorise her governors in referring a question of this sort to a trial by jury: and accordingly, on the twenty-seventh of April, a commission passed the great seal for organising a high court of justice, agreeably to an act passed early in the last parliament, for the security of the protector's person, and the continuance of the

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[c] Thurloe, Vol. VII, p. 65, 66, 67, 68, 74, 89.

[d] See above, p. 167. [e] Heath, p. 403.

[f] Thurloe, Vol. VII, p. 46, 47, 121, *et seqq.*

[g] Collins, art. Peterborough. [h] Clarendon, Vol. III, p. 619.

nation in peace and safety[i]. This act provided that, for the trial of the offences therein described, the lord chancellor or keepers of the seal should issue from time to time, by warrant from the protector, a commission to the lords of the treasury, the twelve judges, the master of the rolls, and one hundred and thirty other persons therein named, constituting, according to the language of those times, a high court of justice, who were by a majority of voices to regulate their own proceedings, and to pronounce upon the innocence or guilt of such persons as, by the appointment of the protector, should be accused before them[k]. The names of these one hundred and thirty persons, with the great officers of justice and the state, were accordingly inserted in the commission now issued. The court, thus constituted, sat for the first time on the twelfth of May, and again on the seventeenth, and the twentieth[l].

Hewit, colonel John Russel and sir William Compton were finally committed to the Tower in the first week of April[m], and Mordaunt shortly after[n]. These names occur again as prisoners on the nineteenth of May, with the addition of Slingsby and Willis[o]. On the an

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[i] Mercurius Politicus, Apr. 29.
[k] Scobel, 1656, cap. 3.
[l] Mercurius Politicus, May 13, 20. Public Intelligencer, May 24.
[m] Public Intelligencer, Apr. 12.
[n] Ibid, May 3.
[o] Mercurius Politicus, May 20.

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order was issued by Cromwel for the trial of Hewit, Mordaunt, Slingsby, and two other persons [p]. Thurloe states in April, that the whole time of the administration was taken up in making discoveries, that sir William Waller was fully engaged with the conspirators, and that, though Fairfax perhaps was not, they certainly promised themselves much from his discontents [q]. Maynard was promoted to be serjeant to the protector on the first of May [r], in order to his being employed as counsel for the state on the trials. Slingsby was brought to trial and convicted on the twenty-fifth of that month, and then the court immediately adjourned to the first of June [s].

1658. Trial of Slingsby.

of Hewit.

On that day Hewit was tried, and, persisting

[p] Public Intelligencer, May 24.

[q] Thurloe, Vol. VII, p. 83, 84, 100.

[r] Public Intelligencer, May 3. He was one of the members excluded from the house at the meeting of parliament in September 1656 (Journals, Sept. 19), and therefore must be considered as having been at that time an anti-courtier. His name however is not annexed to the celebrated remonstrance (See above, p. 291).

Sir Thomas Widdrington, the brother-in-law of Fairfax, and speaker of the late parliament, was sworn into the office of chief baron of the exchequer on the twenty-sixth of June (Public Intelligencer, June 28. Whitlocke), after a vacancy of two years from the appointment of Steele to be lord chancellor of Ireland (See above, p. 453). He had taken a conspicuous part in the consultations of December 1648 (See above, Vol. II, p. 653, 654), and is supposed to have supported the proposition for placing the crown on the head of the duke of Gloucester (Whitlocke, Dec. 23).

[s] Mercurius Politicus, May 27.

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to demur to the competence of the court, he was treated as if he had pleaded guilty, and convicted accordingly[t]. An able paper of demurrers to the competence of the court was drawn up for him by Prynne[u]. His trial was no sooner over, than Mordaunt was arraigned[t]. He had determined to pursue the same course as Hewit, thinking it braver to treat the court with open contempt, than to submit to its forms, which he was persuaded would lead to the same issue. His lady however applied herself with unremitted diligence for his deliverance. She found that a man named Mallory was the principal witness against him: she prevailed on him to abscond. She had recourse to some of his judges, and endeavoured, with all the pathetic power of beauty in distress, to induce them to acquit the prisoner. And lastly, she contrived to have a billet put into the hand of her husband as he went into court, recommending to him to enter the plea of not guilty, instead of imitating the example of Hewit, which, if he did, would deprive the judges, however well inclined, of the power of pronouncing a decision in his favour[x].

of Mordaunt.

Mordaunt yielded to the advice of his wife, and was acquitted. The voices of his judges were equally divided[y]. His escape however was of

He is acquitted.

[t] Mercurius Politicus, June 3.
[u] Life of Barwick, p. 175.
[x] Clarendon, Vol. III, p. 621.
[y] Bates, p. 226. Heath, p. 404. Philips, p. 633.

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the narrowest sort. The quorum of judges required by the act of parliament for the trial of a prisoner, was seventeen. How far Mordaunt's judges exceeded that number we are not told. Lisle, one of the commissioners of the seal, who was president of the court, gave the casting vote in his favour [z]. Pride, who was one of the judges, and would undoubtedly have voted against the prisoner, had been seized with a violent attack of the stone, and obliged to retire, but came in again a quarter of an hour after the vote had been given [a].

Slingsby and Hewit beheaded.

Great exertions made to save them.

Slingsby and Hewit were beheaded on Tower Hill on the eighth of June. Great interest appears to have been made in their favour, but to no purpose. Slingsby had married Barbara Bellasis, aunt to lord Fauconberg, the son-in-law of Cromwel [b]. Both the daughters of Cromwel, who, in the close of the preceding year, had been united in wedlock to lord Fauconberg and to the grandson of the earl of Warwick, the nuptials having been first celebrated in public with all the ceremonies then in use, are asserted presently after to have been privately married by episcopal clergymen, according to the form prescribed in the book of Common Prayer [c]. The priest who officiated in the marriage of lord Fauconberg is said to have

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[z] Clarendon, Vol. III, p. 622. [a] Bates. Heath. Philips.

[b] Collins, Peerage, art. Fauconberg.

[c] Clarendon, Vol. III, p. 599.

been Hewit[d]. This naturally gave the newly married pair an interest in his fate. These double nuptials are supposed to have been intended, in case of any revolution that might occur in these eventful times, to prevent the legality of the union from being at any time called in question.

Cromwel declares against Hewit.

Cromwel is said to have stated to Manton, one of his chaplains, that, if Hewit had acted an ingenuous part, and owned his share in the conspiracy, he would have spared his life; but that, most dishonestly, he persisted to the last in denying the things that would have been proved against him. And, before they parted, the protector convinced Manton, that he perfectly knew, without needing Hewit's confession, the exact share he had taken in the plot[e].

Other prisoners acquitted or spared.

The two other prisoners, included in the warrant for trial with Slingsby, Hewit and Mordaunt, were not brought forward on this occasion. The next prisoners tried were sir Humphrey Bennet, Mallory, who had escaped, but was retaken, and Woodcock, who had previously been included in the warrant with Slingsby. They were arraigned on the tenth of June, when Mallory pleaded guilty[f]. Sentence of death was pronounced on

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[d] The only authority I find for this is a hearsay in Granger, art. Mary countess of Fauconberg.

[e] Neal, Book IV, Chap. iii.

[f] Public Intelligencer, June 14.

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him on the fifteenth, and Woodcock was acquitted[g]. Further proceedings were staid against sir Humphrey Bennet[g]: and, though Mallory remained for some time under sentence of death, it was never carried into execution. So lenient was the proceeding on this occasion.

Disaffection continued.

Meanwhile the tendencies to violence that were generated were not so easily tranquillised. The most considerable leaders among the royalists had been somewhat difficult to be set in motion. But now, that the period best adapted for invasion was fast going by, the inferior and more desperate class of the disaffected began to feel impatient, and to incline without further delay to engage in some precipitate and terrible enterprise.

Plan for surprising London.

The commission for the high court of justice had passed on the twenty-seventh of April, and the court sat for the first time on the twelfth of May. Meanwhile a certain number of the malcontents went on perpetually with their meetings; and at length Saturday, the fifteenth, was fixed upon for the carrying into execution their grand project. It was arranged that, on that night at eleven o'clock, sir William Leighton was to attack the guard at St Paul's, while Manley was to seize the lord mayor, and certain other leaders to station themselves simultaneously at Newgate,

[g] Mercurius Politicus, June 17.

Tower Street, Dowgate, London Bridge, Moorgate and Bishopsgate[h]. In the mean time Deane, another of the conspirators, was to proceed for Westminster[i]. Three of their number assumed to themselves the title of colonels of horse, and three of colonels of foot. A house was to be set on fire near the Tower, with the expectation, that the soldiers stationed there would be ordered out to extinguish the flames, and the insurgents in the mean time be enabled to break in, and take possession of this fortress [k].

It is defeated.

The government proceeded according to its usual fashion, suffered the conspirators to go on to the last hour of act, and had regular intelligence of all their deliberations; and, when the subordinate agents were hastening to their posts, the intelligence met them, that the combination of their leaders had been surprised at the Mermaid in Cheapside, where they had come together to arrange their last orders of proceeding[k]. Meanwhile the guards in London had been every where doubled, and the most effectual precautions taken to counteract every appearance of disorder and riot. The trainbands were put in motion; and Barkstead, lieutenant of the Tower, advanced towards the heart of London, with a party, and five drakes, or small pieces of artillery. Forty

[h] Public Intelligencer, June 14. [i] Thurloe, Vol. VII. p. 147.

[k] Public Intelligencer, June 14.

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of the conspirators were taken into custody, some of whom escaped, and thirty apprentices[l].

1658. Six conspirators convicted.

Seven of the most active of these conspirators were brought before the high court of justice on the first of July, of whom one was acquitted from the obstinacy of a witness refusing to give evidence, and six were convicted[m]. Of these six, three were executed in the following week, two of them being hanged, drawn and quartered, on the scene of their intended insurrection respectively, and three reprieved[n].

Three are executed.

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[l] Public Intelligencer, May 17, 24. Thurloe, Vol. VII, p. 148.

[m] Public Intelligencer, July 5.

[n] Ibid, July 12. Scarcely any notice is taken of this conspiracy by the contemporary writers. Heath speaks of it in the following terms. "When Cromwel had thus raised the expectation of the story, though the chief in the business, understanding that they were detected, and many of their associates being in prison, had desisted from any further attempt, he on the 16th of May doubled his guards, and sent an alarm to the city that that night the royalists had appointed for their rising, and firing the town." Scarcely any conspiracy however is better attested. Two of the persons accused pleaded guilty, and the other four did not pretend to deny the fact, but alleged, that they had been drawn in, and had engaged themselves before they had well considered what it was to which they consented. The facts were proved on the trial by sixteen witnesses.

Cowley, in his Discourse by way of Vision, concerning the Government of Oliver Cromwel, takes occasion from this circumstance to remark, "Our judges and our courts of justice have not been idle; and I think the longest time of our worst princes scarce saw many more executions than the short one of our blessed reformer. We saw and smelled in our open streets the broiling of

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Of these conspirators, many retired beyond sea, and several escaped after they had been apprehended. Among them Manley and six others, having fled from justice, were indicted at the Old Bailey, and made the subject of a process of outlawry[o].

Others are outlawed.

Death of Warwick.

Robert Rich earl of Warwick died on the nineteenth of May, who thought no scorn to be a

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human bowels, as a burnt-offering of sweet savour to our idol." And Clarendon observes, "All men appeared so nauseated with blood, and so tired with these abominable spectacles, that Cromwel thought it best to pardon the rest."

In extenuation of the number of sufferers remarked by Cowley, it must be observed, that times of revolution are not to be judged of like ordinary times. The government of Cromwel was perpetually surrounded with the most formidable enemies, the desperate royalists, and the enthusiastic levellers. It has always been remarked that the civil war in England was attended with fewer sanguinary scenes than any other civil war on record; and certainly the government of Cromwel did not form an exception to the forbearance and humanity that for the most part characterised these times of confusion.

We love in Cowley the temper of the poet and the man of cultivated mind, uncorrupted by political excesses, which taught him to revolt from the practical application of the brutal English laws on the subject of treason. His Discourse was probably written before the Restoration. But what shall we say to Clarendon, who is to be regarded as the principal author of the execrable and inhuman proceedings which followed on that event? Clarendon, in the retirement of his latter life, expresses his astonishment, like a true Arcadian or Lotophagist, that Cromwel should upon two victims, for the third was hanged only, and not dismembered, have suffered the sentence of the law to take its course.

[o] Mercurius Politicus, July 1. Philips, p. 633.

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courtier of Cromwel, but is said to have declared that he would never sit in the same assembly with colonels Hewson and Pride, referring to the new house of lords.

His friendship for the protector.

Clarendon says[p], Cromwel "seemed to be much afflicted at the death of this nobleman, with whom he had a fast friendship; though neither their humours, nor their natures were like."

His letter to Cromwel.

The following letter from Warwick to the protector, dated 11 March 1658, about three weeks after the death of his grandson, the son-in-law of Cromwel, deserves to be given, as throwing no small light on the character of both writer and receiver.

My Lord,

My pen and my heart were ever your lordship's servants; now they are become your debtors. This paper cannot enough confess my obligation, and much less discharge it, for your seasonable and sympathising letters, which (besides the value they derive from so worthy a hand) express such faithful affections, and administer such Christian advice, as renders them beyond measure welcome and dear to me. And, although my heaviness and distraction of thoughts persuades me rather to peruse those excellent

[p] Vol. III, p. 647.

lines then to answer them, and to take relief from them rather then make a return to them, yet I must not be so indulgent to mine own sorrows, as to lose this opportunity of being thankful to your lordship for so great a favour. My lord, I dare not be insensible of that hand which hath laid a very sharp and awaking affliction upon me; but we may not be so presumptuous as to make choice of our own rod, or, so much as in thought, to detract from, or diminish the justice and wisdom and goodness of God in those hard events, which must all stand inviolable, when millions of such worms as I am are gone to dust. I must need say, I have lost a dear and comfortable relation, one in whom I had much determined my affections and lodged my hopes, which are now rebuked and withered by a hasty and early death; but my property in him was inferior to his who hath taken him, and I must rest my heart in his proceedings, making it my care and suit that those evils which cannot be averted may be sanctified. In order to which I desire, from this one sad instance, to argue the whole world of vanity and variableness. Alas, what a staff of reed are these things, which have no stay in themselves, and therefore can give none to us. They witness their own impotency, and themselves admonish us to pitch our rest above this sphere of changeable mortality, and to cast anchor in heaven, while we can find no hold at all

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on earth. Assuredly he that will have and hold a right tranquillity, must found it in a sweet fruition of God, which whosoever wants, may be secure, but cannot be quiet.—My lord, all this is but a broken echo of your pious counsel, which gives such ease to my oppressed mind, that I can scarce forbid my pen being tedious. Only it remembers your lordship's many weighty and noble employments, which, together with your prudent, heroic and honourable managery of them I do here congratulate, as well as my grief will give me leave. Others' goodness is their own; yours is a whole country's, yea, three kingdoms', for which you justly possess interest and renown with wise and good men: virtue is a thousand escutchions. Go on, my lord; go on happily, to love religion, to exemplify it. May your lordship long continue an instrument of use, a pattern of virtue, and a precedent of glory. This is the inward and affectionate prayer of, my lord,

Your lordship's most affectionate servant,

WARWICK[q].

Admirable temper in which it is written.

Such a record as this, such a beautiful effusion of the best, and most generous, and best disciplined feelings of our nature, smooths the rugged brow of history, and relieves the harshness and

[q] Memoirs of the Protector, by a Descendant, p. 539.

severity of its delineations and reflections. It is in this point that a tale of fictitious adventures so strikingly excels the reality of recorded events. There we can look without rebuke into the inmost heart of our personages, and describe all they thought, and all they felt; while in history we can only collect a dry outline, and timidly allow ourselves in a few uncertain conjectures, restrained at every moment by the majesty of truth, and the austerity of the school in which we have entered ourselves pupils.

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CHAPTER XXXI.

FOREIGN POLITICS OF CROMWEL.—CRAFTY PROCEEDING OF MAZARINE.—TREATY OF OFFENSIVE ALLIANCE BETWEEN FRANCE AND ENGLAND.—ENGLISH FORCES LANDED IN FLANDERS.—THEIR DISCIPLINE AND VALOUR.—CAPTURE OF MARDYKE.—HONORARY EMBASSY OF FAUCONBERG. — DEFERENCE TESTIFIED FOR CROMWEL. — BATTLE OF DUNKIRK. — THE PLACE SURRENDERED.— HONORARY EMBASSY OF THE MARSHAL DUKE OF CREQUI.—HUMILIATION OF THE POWER OF SPAIN.

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1658. Awe which the government of Cromwel impresses on foreign powers.

It was the ambition of Cromwel that England under his government should occupy an eminent rank among the powers of Europe. It was a favourite maxim of his, that he hoped he should make the name of an Englishman as great, as ever that of a Roman had been [a]. And he had wonderful advantages for accomplishing this purpose. He had, by his personal qualities only, made himself the first magistrate of his country, keeping its natives in subjection and tranquillity, and

[a] Burnet, Book I.

wielding the powers which its government afforded at his pleasure. He had not stepped into this situation by a concurrence of accidents. He had won the way to his present eminence by intellectual accomplishments and powers, by his unrivalled skill as a military commander, combined with the deepest reach of policy, an astonishing power of conciliating the hearts of men, and a profound talent for penetrating into their meaning, their dispositions, and the purposes their talents best qualified them to achieve. This sort of character does not fail to produce a more striking impression in foreign countries, than in that where it is domiciliated. Natives see all the little specks and infirmities of a man; they observe his smallest errors of conduct; they indulge themselves in ridiculing his peculiarities and foibles. Men on the contrary removed to a distance from the scene, see only the great whole, and receive the collected impression. Foreign governments looked on Cromwel with extreme awe, and watched his motions and demonstrations with anxiety. The peremptoriness and decision of his actions and words increased this effect. He was master of a powerful navy, and of the best disciplined army in Europe.

Vulnerable condition of the powers of France and Spain.

France and Spain had been for twenty years at war for the possession of the Netherlands. In this contest France would have had the undoubted superiority, if she had been true to herself. The victories of Rocroi, Fribourg, and Norlingen co-

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vered her with laurels. But she was torn by intestine contentions. Her most brilliant generals, 1658. Condé and Turenne, alternately listed themselves under the enemy's standard. Spain had not only to fear the weight of England thrown into the scale of France, so far as related to the Netherlands: she had also to fear for her South American possessions, which the mercantile spirit of the English was known to incite that people to covet with eagerness, and to the acquisition of which the fleets of England enabled her to aspire. In addition to the other circumstances which rendered the state of France and Spain eminently critical, was their internal discomposure. In the latter country Catalonia was in a state of rebellion; and in the former the Hugonots produced a focus of disaffection, particularly in Guyenne and the neighbourhood of Bordeaux.

1655. Proposals of each of these powers to Cromwel.

Cromwel seemed for some time to remain in a state of balance between them. Spain, by her minister, the marquis of Leyda, offered to cooperate with him for the conquest of Calais, which had long formed an appendage of the English crown. The proposition of Leyda is dated the eleventh of May 1655. At the same time the prince of Condé suggested the idea of sailing for Bordeaux under the auspices of Cromwel, and putting himself at the head of the malcontents there[b]. The protector dispatched a confidential

of Spain.

[b] See above, p. 210, 211.

emissary into the south of France, to ascertain the strength and dispositions of the disaffected in those provinces [c]. The cause of the French Protestants was of course highly popular with the greater part of the English nation.

of France.

On the other hand France offered, in conjunction with England, to besiege Gravelines, Mardyke and Dunkirk, and to deliver the last two, or at least Dunkirk, into the possession of England [d]. She at the same time gave Cromwel to understand how perilous it would be to his authority, if she were to ship over an army of French Protestants to fight for the restoration of the Stuarts [e]. But what most of all determined the protector to close with the offers of France in preference to those of Spain, was the temptation of conquests that offered themselves to him in South America and the Spanish West Indies.

He determines for the latter.

Conditions imposed by him on the crown of France.

Cromwel was so advantageously circumstanced, that he had no sooner secretly determined to accept the proposals of France, and go to war with Spain, than the next thing he had to consider was, what concessions he would require from the French government, and what price he would set

[c] Burnet, Own Time, Vol. I.

[d] See above, p. 215. After the appointment of Lockhart as our ambassador to the court of France, this proposition was more minutely discussed, and became the subject of a special negociation, in the summer of 1656. See Thurloe, Vol. V, p. 41, 53, 143, 217.

[e] See above, p. 211.

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on his friendship. In the first place he insisted that a compensation should be given to England for the depredations that France had made on our commerce. In the second place, he demanded, agreeably to the custom which had prevailed since the times of Edward the Third and Henry the Fifth, that Louis should be styled not king of France, but king of the French. This seems to have been compromised. Louis is denominated king of France in the copies of the treaty written in the French language; but in the Latin treaty, which the English regarded as the true and authentic document, he is called king of the French. Lastly, it was stipulated, by a secret article annexed to the treaty, that twenty persons by name, the most eminent adversaries of the present English government, should be banished from the territories of France. The treaty, thus modified, was signed on the twenty-fourth of October[f]. The article respecting Dunkirk and the other fortresses was not inserted in the instrument, but rested upon the mutual understanding between the two governments. An important event which presently followed upon the treaty, was the mission of Lockhart, as our ambassador to the court of France[g], one of the ablest ministers that was ever employed from one sovereign to another, and the choice of whom may reasonably be considered

[f] See above, p. 215. [g] p. 216.

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as arising solely from the sagacity and penetration of Cromwel.

1656.

The prime minister of France at this time was the celebrated Mazarine. He governed a court, in the minority of its sovereign, and when the kingdom was torn with a multitude of contending factions. He had been twice banished the country, and as often restored to as much power as ever. During the whole of his administration France and Spain were at war with each other; and it had been the practice of the great generals of the former country, Condé and Turenne, when they were discontented with the measures of the government at home, to go over to the enemy's standard. Mazarine had to contend with the princes, the parliaments, the clergy, and a power at that time not the least formidable, the Protestants of France. Thus circumstanced, he accounted it for one of his supreme felicities, that he could attach to his side, at almost any price, a sovereign so energetic as Cromwel—a man, who owed the present zenith of his power to his talents only, and who governed a nation in a state of revolution, with an army the most warlike and formidable that modern times had produced. There was a singular contrast of character between these two men; both possessing extraordinary powers of intellect, improved and subtilised amidst the most wonderful changes of fortune. But, though the school was in some degree the

Situation of Mazarine.

Mazarine and Cromwel compared.

BOOK IV. 1656.

same, the result was exceedingly different. The powers of Cromwel had never failed him, and he looked to them with implicit reliance: he dared every thing; he commanded every thing; was quick and peremptory in decision; and by his boldness carried a multitude of points, in which a meaner and more cautious genius would have failed. Mazarine on the contrary was born an Italian, and accustomed to all the subtlety and craft of the policy of the court of Rome. He temporised; he never went straight to his point; he relied on his powers of persuasion, and his skill to dazzle and perplex the persons with whom it was necessary for him to transact. He hugged himself upon his wisdom in many cases, where in truth the main spring of his action was merely timidity.

Subtlety of the French minister.

Mazarine was delighted to have kept in the back ground the question of Dunkirk and Mardyke, which had repeatedly occurred in the course of the negociation, but were never once mentioned in the treaty. But the sovereign he had to deal with was not so easily overreached. Cromwel, beside his more direct object of keeping Spain so occupied with the war in Flanders, as to leave her no leisure to think of an invasion of England for the purpose of restoring the Stuarts, had set his heart on illustrating his reign by acquiring some solid footing on the continent. Spain had offered to conquer Calais from the French, and

put him in possession of the place; and the proper counterbalance for this, since he had declined that proposal to accept the friendship of France, was, that at least that power should wrest Dunkirk from the grasp of Spain for his benefit. But Mazarine not only played a double and uncertain game with that proposition, but further held Cromwel in alarm, at least during the summer of 1656, with the idea of a peace to be speedily concluded between France and Spain. M. de Lionne, one of the most eminent negociators of his time, was sent to Madrid, to propose a union between Louis the Fourteenth, then in the eighteenth year of his age, and Maria Theresa, at that time the only offspring of the king of Spain, and whom he afterwards married. But the proposition at present came to nothing[h]. At the same time the cardinal practised every sort of cajolery with Cromwel and his ambassador. He told Lockhart that, if he had general powers to treat, an immediate parley should commence about things of the greatest importance. He added, that in that case the affair must be conducted with the greatest secrecy, no one but Cromwel, himself, Thurloe and Lockhart being admitted to know what was going on. He said, he was convinced it would be much for the protector's reputation to be master of some considerable place on the continent. And

His double dealing.

His mysterious proposal.

[h] Hénault, *ad annum.*

BOOK IV. 1656.

he hinted further at a business, in which he was himself deeply concerned, but spoke of it in so mysterious a manner that Lockhart confesses he could not conjecture what he intended. And, in a subsequent conversation, Mazarine said he would undoubtedly apply himself to serve Cromwel in the matter of Dunkirk, but added, that he had something else to propose, which would have relation, not only to the mutual good of both nations, but also respected the protector and himself more particularly. He then seemed on the point of giving the ambassador a hint of what was in his mind; but, suddenly pausing, he added, he would take a time to speak at greater length than his leisure would at present permit[i].

1657. Treaty of offensive alliance.

After considerable delays a new treaty was signed between England and France on the twenty-third of March 1657. Cromwel was impatient for the accomplishment of this measure, and employed both importunity and threats, to influence the reluctant mind of the cardinal. He is even said to have caused it to be intimated to him,

[i] Thurloe, Vol. V, p. 318, 369. Voltaire, Siècle de Louis XIV, conjectures that the topic was the marriage of one of Mazarine's nieces to a son of Cromwel. But Richard Cromwel was married in 1649, and Henry in or before the year 1654 (Thurloe, Vol. III, p. 614. Noble, Part iv, Sect. 1): and we may be sure that neither the moral nor religious character of the protector would have allowed him to seek the aggrandisement of his family through the medium of a divorce.

that, in case of a disappointment in that quarter, he knew where to find a more punctual friend[k]; while Mazarine on the other hand observed with some acrimony to Lockhart, that, unless there were a mutual confidence between parties pursuing the same interest, their joint undertakings would never be attended with success[l]. It is commonly said to have passed into a proverb at this time in France, that the cardinal was less afraid of the devil than of Oliver Cromwel[m]. The protector no doubt also aimed at punishing the Spaniard for his junction with Charles Stuart.

Its purposes and conditions.

The express purport of this treaty was the reduction of Gravelines, Mardyke and Dunkirk by the joint arms of England and France. For this end France undertook to furnish an army of twenty thousand men, which Cromwel engaged to reinforce with six thousand foot, and a fleet sufficiently powerful to cut off all supplies to the besieged by sea. Of the six thousand English one half was to be taken into the pay of France, and the other half to be maintained at the expence of their own government. If Gravelines were taken first, it was to be given into the hands of the English as a hostage for the reduction of the other two, but finally to be annexed to the sovereignty of France. Mardyke and Dunkirk, when

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[k] Clarendon, Vol. III, p. 599. [l] Thurloe, Vol. VI, p. 618.
[m] Welwood, p. 94. Kennet, p. 209.

BOOK IV. 1657.

taken, were to be delivered to Cromwel, he at the same time engaging that the Catholic worship should be maintained inviolate in these places[n].

English forces landed in Flanders.

Cromwel shewed the utmost promptness to execute his part of this treaty. The commission to sir John Reynolds, who had made a conspicuous figure in the wars of Ireland, to command the

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[n] I do not find a copy of this treaty entire in any of the collections. It is wholly unnoticed by Dumont. In Leonard there are extracts of the articles respecting the Catholic religion, which are translated in the English collections of 1732 and 1785. The fullest account of its provisions is in St Priest, Histoire des Traités, Tom. I, Liv. IV, Chap. ii, Traité 17. There is another treaty, dated 9 May 1657, offensive and defensive between England and France, a copy of which is to be found in Dumont, and in the English Collections of Treaties, 1732 and 1785, that engages for the reduction of Ostend, Nieuport, Dunkirk and Gravelines in favour of Cromwel, while the protector on the other hand promises that he will exert himself to the utmost of his power to cause the election of emperor of Germany to terminate in behalf of Louis the Fourteenth, or, at any rate, that the imperial crown shall not fall to the lot of a prince of the house of Austria. But this treaty is most likely a forgery. The stipulations it contains are improbable. It is not to be supposed that, after a treaty had been made between France and the protector in March, another of somewhat similar tenour should have been entered into in May. There is no trace of it in Thurloe. It is not noticed in the engagement of the beginning of 1658, prolonging the treaty of the March preceding for another year.—The treaty of March begins, "It is hereby agreed, that there shall be from this time forward a firm peace, friendship, alliance and league between his most Christian Majesty and the serene protector of England."

English forces employed in the expedition, is dated on the twenty-fifth of April[o]. The fleet was placed under the direction of Montagu[p]. The army landed at Boulogne on the thirteenth and fourteenth of May[q]. They received new regimentals[r]. Trained up as they had been in the civil wars, and, above all, under the discipline of Cromwel, they were unquestionably the finest troops of the age. Louis the Fourteenth made a journey expressly to see them[s]. Lockhart paid him a compliment at the review, that Cromwel had enjoined both officers and soldiers to display the same zeal in the service of the French king as in his own; and Louis replied, that he was transported to receive so noble a testimony of the affection of a prince, whom he had always considered as the greatest and happiest in Europe[t].

Their discipline and valour.

Reviewed by Louis XIV.

But, notwithstanding these demonstrations, Mazarine still delayed by all the arts in his power the performance of the treaty. The French took Montmedi and St Venant. They attempted to reduce Cambray. Cromwel at length, tired out with their evasions, wrote to Lockhart in the most peremptory terms, on the last day of August[u]. He said, "I deeply feel how much the French are short of us in ingenuity and perform-

Insincerity of Mazarine.

Remonstrance of Cromwel.

[o] Thurloe, Vol. VI, p. 230, 231.
[p] Ibid, p. 526, 547.
[q] Ibid, p. 287, 288.
[r] Perfect Politician, p. 232.
[s] Thurloe, p. 288.
[t] Ibid, p. 337.
[u] Ibid, p. 490.

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ance. And I am the more sensible of this, as it has been our determination, rather to overdo, than come behind of our treaty. We were never so foolish, as to apprehend that the French interests and ours were alike in all things, yet, considering the implacable enmity there has been in all ages between them and the Spaniard, we could not have believed they would have failed us as they have done. To talk of giving us garrisons inland as cautions for their future conduct, and of what will be done in the next campaign, are but words for children. And therefore, if this will not be listened to, I desire that our men may be put into a posture to be returned to us, which we hope we shall employ to a better purpose, than to have them remain as they are." The result of these expostulations was, that the siege of Mardyke was formed on the twenty-first of September; and, in three or four days after, the place surrendered[x].—Cromwel seemed to be of opinion, notwithstanding the lateness of the season, that Dunkirk might yet be reduced, and with that view shipped two thousand men more to assist in the operations[y]. But nothing further was attempted. Mardyke was delivered to the English, and sir John Reynolds appointed governor[z]. This officer, having obtained a short leave of ab-

Capture of Mardyke.

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[x] Thurloe, p. 526, 538.

[y] Ibid, p. 526, 618.

[z] Ibid, p. 609, 618.

sence to come to England, was cast away at sea on the fifth of December; and the place was left under the command of major-general Morgan[a]. CHAP. XXXI.

1658. Stratagem of the governor of Ostend.

It does not appear that Cromwel experienced the smallest opposition from the cardinal in the following campaign. The treaty between the two powers, which had been concluded in the preceding spring, was renewed for one year more in February. The first incident of the campaign was an attempt on Ostend. Marshal D'Aumont, a principal officer of the French army, entered into negociation with certain Spaniards of the garrison for the delivery of the place. He landed in consequence, with the assistance of the English admiral, on the fourth of May. The French flag was hoisted on the bulwarks; and a message was brought to the marshal, that the place was at his command. Thus encouraged, the party advanced without apprehension, but were no sooner within the fire of the batteries, than they found that the whole was a stratagem that was employed against them. The entire detachment was cut off, and the commander himself taken prisoner[b].

Siege of Dunkirk.

It was fixed by the treaty that the siege of Dunkirk should be begun in April or May. It was entered on accordingly, a few weeks after the

[a] Thurloe, p. 659, 676.

[b] Thurloe, Vol. VII, p. 113, 115, 126, 128. Perfect Politician, p. 250, 251, 252. Echard, p. 732, 733.

BOOK IV. 1658.

time specified. It commenced by a manœuvre, both English and French having diligently given out that the attack would be directed to another quarter. Lockhart commanded the English in the room of Reynolds[c]. Louis the Fourteenth and the cardinal approached the scene of action, and for the present took up their quarters at Calais. Cromwel seized this occasion to send lord Fauconberg, his son-in-law, with a splendid equipage, and a numerous retinue, to compliment the king on his near approach to the shores of Britain. He landed at Calais on the twenty-ninth[d]. Here he was entertained with every possible distinction. Louis not only received him uncovered at his public audiences, but also at a private visit of Fauconberg, when they talked for two hours in the garden. The cardinal was equally ceremonious. He came from his apartment to meet the ambassador, and after an hour's discourse, conducted him again to his carriage, a condescension he was accustomed to dispense with, not only to all others, but to the king himself[e]. After a stay of five days, Fauconberg took his departure on the third of June.

Honorary embassy of Fauconberg.

Honours paid to Cromwel.

Battle of Dunkirk.

The trenches had been open before Dunkirk for twelve days, when the Spanish army under don John of Austria and the prince of Condé,

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[c] Thurloe, Vol. VII, p. 143, 156.

[d] Ibid, p. 151.

[e] Ibid, p. 158.

accompanied by the dukes of York and Gloucester, approached to relieve the place. Turenne found it necessary either to abandon the siege or to fight, and he was strongly urged to the latter alternative by the English. The battle was fought on the Downs to the north of the town, the day after Fauconberg's departure. The English had the left wing on the sands, and enacted wonders. The immortal six thousand sent by Cromwel, as sir William Temple calls them[f], not only repulsed the Spaniards, but advanced to the right to the relief of Turenne, attacked by Condé. Of Lockhart's regiment there was scarcely an officer that was not killed, or dangerously wounded[g]. The duke of York, who acted the part of a brave soldier, and got off with difficulty, professed himself delighted to see the English, though ranged under a standard opposite to his own, conduct themselves in so gallant and admirable a manner[h]. The victory was complete[i].

Exploits of the English.

[f] Memoirs, Part III, p. 154.

[g] Thurloe, p. 156.

[h] Clarendon, p. 643.

[i] There is an absurd Narrative of this Action, printed under the name of general Morgan, the second in command, and published in 1699, in which he represents the French as cowards, Lockhart a poltroon, and Turenne an idiot, and assumes all the honour of the battle and the campaign to himself. This gentleman is certainly nearly akin to sir John Bowring, whose vapouring and nonsense we noticed, Vol. II, p. 617. The narrative of Morgan is copied in great part by Echard, p. 733, and has been transcribed from him by Oldmixon, Noble and others.

BOOK IV.

1658. The place surrendered.

The governor of Dunkirk was the marquis of Leyda, who did the utmost that was possible for the preservation of the place. He made a sally during the battle[k], and another of a more desperate character on the thirteenth. In this, after some success, he was repulsed, and mortally wounded; and, two days after, the garrison surrendered[l]. The French entered the place, but immediately, according to treaty, delivered possession to Lockhart[m].

Honorary embassy of the marshal duke of Crequi.

Louis the Fourteenth seized upon this occasion to return the compliment paid him by Cromwel. He dispatched the marshal duke of Crequi, accompanied by Mancini, the cardinal's nephew, and a great train, to present to the protector the keys of Dunkirk[n]. Cromwel, hearing of the design, dispatched Fleetwood, with a suitable equipage, to meet them at Dover[o]. They resided in London from the sixteenth of June to the nineteenth[p]. Crequi expressed with how much pleasure his master surrendered the keys to the greatest captain on earth[q]. And Mazarine accompa-

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[k] Thurloe, p. 155, 156.

[l] Philips, p. 634. Clarendon, p. 644. [m] Thurloe, p. 174.

[n] Ibid, p. 193. Clarendon, p. 644. Echard, p. 733.

[o] Oldmixon, p. 425. [p] Thurloe, p. 193.

[q] Oldmixon, *ubi supra*. The following is an extract from the Diary of Dr. Henry Sampson, whose name has already occurred in a note in page 214 of this volume. The fact contained in it is given on the authority of sir Thomas Rokeby, who was a judge, first of the

nied the embassy with a letter, assuring the protector that, being within view of the English shore, nothing but the illness of the king (he had the small-pox) could have hindered him from coming in person, that he might have the happiness of an interview with one of the greatest men that ever was, and whom next to his master it was his ambition to serve. Meanwhile, deprived

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common pleas, and next of the king's bench, after the Restoration. He "was present at the delivery of the letter mentioned in the extract, and reported what passed on the occasion" to the narrator. Sloane MSS, No. 4460, page 22.

"The protector was in the Banqueting House to receive the duke of Crequi as ambassador from the French king. Great was the state, and the crowd: the ambassador made his speech and compliments. After which, he delivered a letter, superscribed, 'To his Most Serene Highness, Oliver, Lord Protector of England, Scotland and Ireland.' The protector looks wistly upon the letter, puts it in his pocket, and turns away, without speaking a word, or opening it. The ambassador was highly vexed at this, and, as soon as he could meet with secretary Thurloe, expostulated with him for the affront and indignity offered to his master, so great a prince, asking what he thought might be the cause? Thurloe answered, He thought the protector might be displeased with the superscription of the letter. The duke said, he conceived it was agreeable to custom, and in terms the most respectful. 'But,' says Thurloe, 'my master expected it should have been addressed to our dear brother, Oliver.'

"It is said, the ambassador writing this over to France, the king exclaimed, 'Shall I call such a fellow *my brother*?' To which Mazarine replied, 'Aye, call him *your father* if need be, if so you can get of him what you desire.' And a letter was accordingly dispatched, having the desired superscription."

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of that gratification, he had commissioned the individual nearest to him in blood, to assure Cromwel of the veneration he entertained for his person, and how much he was resolved, to the utmost of his power, to cultivate a perpetual friendship between him and his sovereign [r].

Humiliation of the power of Spain.

The remainder of the campaign in Flanders was one series of conquests. The allies appear to have cooperated cordially with each other. Turenne reduced Winoxberg, Furnes, Dixmude and Ypres in rapid succession. Another of the French generals captured Gravelines: and towards the end of the campaign Oudenarde and Menin fell a prey to the victor. Mazarine had a conference with Lockhart on the seventeenth of July; and, by way of securing the invaluable aid of the English land-auxiliaries and fleet, held

[r] Welwood, p. 98. Echard, p. 735. Welwood here introduces a ridiculous story of a plot discovered by Cromwel for the French retaining possession of Dunkirk in defiance of the treaty; to which Noble has added a senseless tale (received, he says, from Lockhart's family) of the ambassador coming down from an eminence with his watch in his hand, and demanding from the cardinal within an hour a peremptory order for the delivery of the place. Lockhart's own dispatch of the fourteenth [Thurloe, Vol. VII, p. 173, in which he says, "To-morrow, before five o'clock at night, his highness's forces under my command will be possessed of Dunkirk. I have a great many disputes with the cardinal; but he is still constant to his promises, and seems to be as glad to give the place to his highness, as I can be to receive it"] expressly gives the lie to this statement.

out the prospect of a new treaty similar to those of 1657 and of the present year, and hinted something of the reducing Ostend for the behoof of the protector[s]. But, owing to events which speedily succeeded, this proposition came to nothing. Spain was so narrowed in power in the Low Countries by this uninterrupted succession of reverses, as to leave small prospect of her again meditating the invasion of England from that quarter.

[s] Thurloe, p. 278, 279.

CHAPTER XXXII.

EMBARRASSMENT OF THE FINANCES.—PURPOSE TO CALL ANOTHER PARLIAMENT.—PROSPEROUS STATE OF PUBLIC AFFAIRS.—ENERGETIC CHARACTER OF THE PROTECTOR.—COMMITTEE OF NINE TO SETTLE THE PRELIMINARIES TO THE MEETING OF PARLIAMENT.

BOOK IV.

1658. Embarrassment of the finances. Character of Cromwel's expenditure.

In the midst of all these successes the government was exceedingly harassed by the deficiencies of the revenue. The administration of Cromwel was eminently economical and thrifty on all ordinary occasions; but, when the interest of the public, and what he deemed the honour of the nation was concerned, he was never parsimonious. In the fitting out of his fleets and armies, he was at no time chargeable with an ignoble saving. The embassy of Fauconberg, and the reception of marshal Crequi, if they did not cost vast sums of money, may however serve as instances of the character of his expenditure. Cowley says of him, "He had the estates and lives of three kingdoms as much at his disposal, as was the little inheritance of his father; and he was as noble and liberal in the spending of them[a]."

[a] Discourse by way of Vision.

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Never was there a measure more indispensible, unless the protector would have been contented to have the government at one moment wrested from his grasp, than the dissolution of the late parliament. But it subjected him to an endless train of difficulties. Previously to their adjournment in June 1657, and while he retained a very considerable, though by no means an unlimited ascendancy over them, they had fixed many important branches of the revenue; and the provisions of that kind which they had made, were extended to a term of three years[b]. But there were various matters of serious, though of minor importance, which had been suffered to stand over to their second session. These were all swept away in an instant.

Partial settlement of the revenue.

A slight inspection of the correspondence of Thurloe, Fleetwood, and Henry Cromwel, after the dissolution, will serve to shew to what distressing straits the government was frequently reduced. So early as April, Fleetwood writes to the lord deputy, "We stick still how to send you ready cash. There is but one way best, if we can effect it; which is out of the exchequer-money that this last half-year is to be paid; our excise and other revenues coming in so slowly, that we are much disappointed in our affairs[c]."

Receipts anticipated.

The only remedy for all this was in a parliament. And this is talked of in a letter of Thurloe,

Purpose to call another parliament.

[b] See above, p. 402.

[c] Thurloe, Vol. VII, p. 71.

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only one week in April later than the above letter of Fleetwood[d]. Nor did they appear to regard this resource with any thing like the dismay and apprehension that might have been expected.

Dangers that might ensue.

Cromwel had dissolved his last parliament on the fourth of February. He told them frankly, that, if he had suffered them to sit a week longer, the whole nation would have been in blood. This was the second parliament of his protectorate, chosen under his auspices, which he had been obliged to dismiss in this abrupt manner.

The question examined.

Few speculations can be more interesting, than that which should lead us to enquire, what would have been the result of the assembling of a new parliament, which was now considered as a rapidly approaching event. The breaking up of the last had certainly a very ominous appearance. The protector had found in January a decisive majority of the house of commons against him, and another house, or house of lords, who could do nothing, and with whom the commons would enter into no correspondence. What therefore, it will be asked, could be hoped for from a general election?

The next parliament likely to be less hostile. Grounds of this judgment.

But things were by no means in the desperate situation that might at first sight be apprehended. Cromwel had no reason to fear the meeting another house of commons so hostile to him as that which he had dissolved in the beginning of the year, a house of commons of which we may say,

[d] Thurloe, Vol. VII, p. 84.

that one hundred of its members had been personally affronted, and forty more, duly elected by the people, had been transplanted to form the stock of another house.

Energetic character of the protector.

Cromwel had greatly risen in character since that dissolution. It was the peculiarity of the protector, that, the greater and more multiplied were the difficulties that surrounded him, the more his energies rose, to contend with and to vanquish them. He was like the fabled giant of antiquity: once master his person, and cast him headlong to the ground; the touch of his mother-earth renovated his strength, and caused him to return to the contention more formidable than ever.

Menacing appearance of the late state of affairs.

During the short period of the second session of parliament, the commonwealthsmen had been filled with confidence and presumption. They had a majority of the house of commons participating their views, and who seemed only to have to consider how they would secure, and after what fashion they would make use of, their victory. The royalists, by the very same circumstances, became inspired with the most sanguine hopes, and meditated no less than the surprising the metropolis, and effecting a general insurrection throughout England. At the same time ten thousand Spanish troops, with monsieur Marsin, the new-made knight of the English order of the garter at their head, hovered on the coast of Flan-

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ders, prepared to cross the narrow seas, to take advantage of and to direct the storm, which was now brewing in every part of our country.

The storm is dispersed.

All this had been dissipated by the wisdom and the masterly conduct of Cromwel. He held the thread of every conspiracy, and suffered its deluded implements to proceed as far as he pleased, and when he pleased, he stopped them. He imprisoned the republicans; he made examples of a small and select number of the royalists.

Successes of the protector at home.

Successes in the field.

He turned the tables on the Spaniard, and, instead of fearing their invasion, mastered Dunkirk and several of their most considerable sea-ports, while Turenne reduced half their inland towns to the yoke of France.

Homage paid to Cromwel by the French.

The representatives of the protector were received by the French king and his minister with an elaborate flattery and homage, such as has seldom been practised by one crowned head to another.

Favourable effects that result to the government.

These circumstances did not fail to produce a memorable effect on the people of England. The republicans were baffled; the threatened invasion and insurrection were blown over; England under the protector Oliver had assumed a tone with foreign states scarcely to be paralleled in our Edwards and our Henries. A prosperous administration is always to a certain degree a popular one; more especially where that prosperity is plainly seen to have emanated from the unrivalled talents of the ruler. So situated, it is reasonable

to believe that the new elections would have proved more favourable to the court than any that had preceded.

A permanent establishment greatly desired.

The nation was grown tired of a perpetual uncertainty, and panted for a permanent and substantial settlement. Various systems had been started, some brilliant, some full of generous sentiments of liberty, of high and noble aspirations; but they had all failed. Those who were most partial to the ancient system of our government, and the line of our former kings, felt that they could not struggle for ever. For a long time, "against hope, they had believed in hope." Their sentiments were now similar to those of Cowley, quoted in a former page [e]. The majority of every nation, unless under circumstances of singular excitement, prefer their tranquillity, and the secure enjoyment, each man of his own fire-side, of the inheritance that has come down to him from his fathers, or of the fruits of his carefulness and industry, to any fine speculations about government, or romantic attachment to the unfortunate exile of a legitimate race.

Cromwel's talents and fortune regarded with awe.

Cromwel was a sort of ruler who, once set over a nation, could scarcely be shaken off. Gallant had been the experiments of the commonwealthsmen and of the royalists; they had negociated with the foreign courts of Europe, and had re-

[e] See above, p. 258, 259.

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ceived the most flattering answers to their overtures. But all had come to the same end. Cromwel had his eyes every where, beholding the demure, the enthusiastic, and the profligate. He was never to be daunted, but always felt in himself a power equal to the vanquishing every difficulty. He must have appeared to his adversaries as something supernatural, bearing a charmed life. Even the dagger of the assassin, however often pointed at his breast, could never wound him.

His high and extraordinary qualities.

Add to all this, if he were not greatly and extensively loved, all were compelled to admire. They could not deny his high and extraordinary qualities. He held the reins of government with an equal hand; he was never transported to fierceness and rage against any individual; if he were firm and austere and to be feared, yet on the whole the instances of his clemency greatly overbalanced those of his severity. He was a lover of liberty, though he did not distinguish himself in its cause in the way which the most eminent of his former associates approved. No provocation could lead him to desert the idea of a mixed government, or to seek a permanent refuge in naked despotism. And most eminently he rendered the name of England great and respected in the eyes of foreigners, a circumstance which had a strong reactive effect upon his countrymen. In short, if he were not born to be a king, most men were disposed to grant that he deserved to be one.

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1658. Probability that his house of lords would have become a fixed institution.

A critical question that would certainly arise out of the meeting of a new parliament, was that of his house of lords. But this would probably have passed. It was by no means an institution originating in the caprice of the executive magistrate, but had been voted by a parliament, along with the rest of the petition and advice, or rather had been imposed upon Cromwel by that parliament. Even the unfortunate Sexby had said, whether sincerely, or for the purpose of baffling his adversaries, "I formerly desired the assassination of the protector: but the case is now altered, a parliament having settled the government on him[f]." The novelty of another house, nominated on the tenth of December, and assembled forty days after, was gone: and even the brief interval of eight or ten months, familiarised the minds of the people in some measure with the new branch of the legislature, and took away the first glare of astonishment and ridicule that seemed to attend it. The splendour of Cromwel's administration during these months, would be reflected on the lords to whom his writs had been directed. Many would be apt to say, as Lenthal is reported to have done to Haselrig, "Be assured that all who take their seats in this house, shall, themselves and their heirs, be for ever peers of England[g]." An hereditary nobility seems to be an institution, al-

[f] Thurloe, Vol. VII, p. 560.

[g] Ludlow, p. 596.

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most inseparable from an hereditary chief magistrate[h]: and, the first fervour of republican principles appearing now to have subsided, another house of legislature, exercising a negative on the representatives of the people, would in all probability have been quietly submitted to. That so accomplished a statesman as Cromwel lent himself to the institution, is no mean argument that such would have been the result.

Question stated, Would Cromwel have been the king?

Consequent upon this state of things, while we are driven in a manner, by the abrupt termination of Cromwel's life, to speculate on what would have been the event if it had been longer protracted, the question unavoidably suggests itself, would he have been the king? On this question we will not venture an absolute opinion. It was that upon which of all things he had set his heart. He was persuaded, that was the remedy for all the doubtfulness and instability of the present government. While he was protector only, he seemed to be but as the trustee and agent for

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[h] It must be observed however, that the peers of Cromwel's house of lords were not hereditary. It is specially provided in the additional petition and advice, "that the nomination of the persons to supply the place of such members of the other house as shall die, shall be by the present protector and his successors." And accordingly Cromwel, in his speech at the dissolution, observes, "there were not constituted hereditary lords (Burton's Diary, Vol. II, p. 468)." It may be matter of reflection, whether this did not make Cromwel's other house a lame and imperfect institution.

another. Lambert, and the party in the army that had brought forward the petition of May 1657, which had for the present defeated all his hopes, were formidable enemies. Might he not by a continued series of successes, at home and abroad, have become so strong as to act without them and against them? Cromwel excelled all men in those arts of persuasion, by which he brought men to agree to and support his views. He had also in successive instances demonstrated his dexterity in new moulding the army, and, by degrees almost imperceptible, taking the power out of the hands of those who opposed, and confiding it to persons whose judgment coincided with his own[i].

Correspondence between Henry Cromwel and Thurloe.

The question of a new parliament was perpetually under consideration; and the necessities that called for it daily increased[k]. Thurloe says, in a letter to Henry Cromwel before the end of April, "If you ask, what are the difficulties which attend the necessary arrangements for calling a new parliament, I answer, the fears of some honest men that this will settle us upon some foundations, and the doubts of others, that settlement not prevailing, that a parliament will ruin us[l]." Henry Cromwel in return expresses a "doubt that the

[i] Burnet (Own Time, Book I,) says, "If he had lived out the next winter, as the debates were to have been brought on again, so it was generally thought he would have accepted of the offer of the crown."

[k] Thurloe, p. 99, 100, 128, 144.

[l] Ibid, p. 99.

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delay of a parliament may be occasioned by the unripeness of some design of Desborough and Fleetwood [m]."

Cromwel reported to have gained over some of the republicans.

There is a remarkable letter of Henry Cromwel in answer to one of Thurloe, of the date of the second of June, in which he says, "I am glad to hear from you of Ludlow, and Rich, and also of Sir Henry Vane's compliances [n]." As we have not the letter of Thurloe to which this is an answer, it is difficult to make out the exact purport of the intelligence it contained. Henry Cromwel proceeds, "I hope these persons do not intend to tickle you, as men do trouts. Neither do I think that your affairs will gain much reputation, by their being in your counsel. I confess I think it were happy, if his highness could confine the conduct of affairs to the hands of such, as have in the worst of times opposed the common enemy [o]." —The rumour here spoken of was probably groundless. Vane and Ludlow never deviated to their last breath from their determined condemnation of the protector.

Committee of nine to prepare the way for a parliament.

In the letters of Fleetwood to the lord deputy about the same time, it is observed that the parliament cannot now probably meet till September [p]. Meanwhile a committee of nine persons was appointed to arrange what was fit to be done

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[m] Thurloe, p. 146.
[n] Ibid, p. 154.
[o] Ibid.
[p] Ibid, p. 159, 176.

in the next parliament. The members were Fiennes, Fleetwood, Pickering, Desborough, Whalley, Goffe, Philip Jones, Cooper and Thurloe. Two of the points to be considered by them were, how to be secured against the cavalier party, and how to parry the measures that might be started for restoring a commonwealth. An idea was suggested of laying a burthen upon all the opulent adherents of the royalist party, and even carrying it to the amount of one half of their estates. But, as Thurloe observes, this scheme "would not obtain the sanction probably of all the nine, and least of all would be approved by the parliament, who were not to be persuaded to punish alike the unoffending and the guilty[q]." In a letter of the thirteenth of July Thurloe further states, "The report, as I take it, was made five days ago to his highness. After much consideration it was voted by a majority, that it was desirable that the succession should rather be by election than hereditary; that is, that the chief magistrate should always name his successor." He adds, by an insinuation which must probably always remain mysterious, "I believe we are now out of the danger of our juncto, and I think also of ever having such another[r]."

[q] Thurloe, p. 192.

[r] Ibid, p. 269.

CHAPTER XXXIII.

DEATH OF LADY CLAYPOLE.—DECLINING HEALTH OF THE PROTECTOR.—ANXIETY ENTERTAINED RESPECTING IT.—ENTHUSIASM OF CROMWEL AND HIS CHAPLAINS.—HIS DEATH.

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1658.

But a succession of misfortunes at this time occurred in the family of Cromwel, which terminated in the death of the protector. It would be difficult to find in the annals of mankind an example of a more affectionate son, husband and father. He removed his mother to apartments in Whitehall, where she continued to her death in November 1654. She was under perpetual impressions of the danger of his condition, and would often, as it is said, when she heard the report of a musquet, exclaim, My son is shot[a].

Mother of Cromwel.

Death of Lady Claypole.

His eldest daughter was successively the wife of Ireton and Fleetwood. His second, the lady Elizabeth, had married in 1646 John Claypole of Norborough in the county of Northampton, who was afterwards master of the horse to the protector, and was one of the members of his

[a] Ludlow, p. 488.

house of lords. She is acknowledged on all hands to have been a woman of great and admirable qualities. About this time she was attacked with a most painful disease, an internal abscess. On the fifteenth of June Fleetwood writes, "My lady Elizabeth continues very ill; and, as I fear, unless the Lord supports her, will be much worse by the death of her youngest son, Oliver [b]." Grief vitiated the animal juices, and aggravated the disease. After a lingering illness she expired on the sixth of August. Cromwel was deeply afflicted with the condition of his daughter; and on the twenty-seventh of July Thurloe writes "His highness's constant residence has been at Hampton Court, and his attendance on the lady Elizabeth perpetual, so that very little or nothing has been done by him in public business for these last fourteen days [c]." His own health was at the same time very indifferent; and he was in a course of taking the Tunbridge or Spa waters [d].

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[b] Thurloe, p. 177. [c] Ibid, p. 294, 295.

[d] Ibid, p. 237, 295. The influence of party-spirit in the writers of the times has made them eagerly seize upon these circumstances as an occasion of obloquy to Cromwel. Ludlow says, p. 607, "Mrs. Claypole laboured earnestly with her father to save the life of Dr. Hewit without success, which denial so afflicted her, that it is reported to have been one cause of her death." Heath, p. 405, and Echard, p. 732, tell the same story. Noble adds, She was impressed with a "sincere wish to see the lawful heir to the crown restored, and frequented the house of Hewit to hear divine worship according to the church of England." The same writer gratui-

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1658. Declining health of the protector.

The death of Cromwel shortly followed upon that of his daughter. It was probably occasioned by the total breaking up of his constitution. Though he was only in the sixtieth year of his age, he had gone through that which might well try a frame, originally of the hardiest make. The scene of his campaigns had been uncommonly severe. He had all his life been subject to acute inflammatory attacks. The life of a man who purposes to found a new dynasty, is essentially different from that of a prince who succeeds to an

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tously throws lady Claypole on her knees in vain intercession for the life of Hewit. But neither Clarendon nor Bates afford any support to this tale. And it has been justly observed, that lady Claypole, in a letter to the lady of Henry Cromwel (Thurloe, Vol. VII, p. 171), expresses her joy at the detection of the plot of which Hewit had been a principal implement, and which, as she says, if it had gone on, "not only our family would have been ruined, but in all probability the whole nation would have been involved in blood."

Bates says, "The lady Claypole in her hysterical fits much disquieted her father, by upbraiding him sometimes with one of his crimes, and sometimes with another, according to the furious distractions of that disease." Clarendon adds, p. 647, "In her sickness she had several conferences with Cromwel, which exceedingly perplexed him. Though nobody was near enough to hear the particulars, yet her often mentioning in the pains she endured the blood her father had spilt, made people conclude that she had presented his worst actions to his consideration." This tale is confirmed by Philips, p. 634, and Heath. Bates, by his quality of state physician, would be particularly entitled to credit, had he not shewn through his whole work so determined a propensity to calumniate "the rebels."

hereditary throne. He had cares on his mind almost more than human strength could bear; and was called on to conduct a variety of different plans and interests, not simply in uninterrupted succession, but simultaneously. He governed, by dint of awe, and the deference his talents created, but at all times in contradiction to the sense and the choice of the whole nation. All parties, agreeing in nothing else, agreed in hostility to him. He was incessantly threatened with assassination [e]. 1658.

[e] It is a curious point to consider how far these threats affected his spirits or his health. Many historians are very confident on this point. Bates says, p. 198, "Cromwel had neither rest nor security, since the last great combination of royalists and republicans against him. He was never at ease. In the day-time his looks were intent upon new and unusual spectacles. He took particular notice of the carriage, manners, habit and language of all strangers, especially if they seemed joyful. He never stirred abroad but with strong guards, wearing armour underneath his clothes, and offensive weapons, as a sword, falchion, and several pistols; never coming back by the strait, public road, or the same way, nor never passing but with great speed. How many locks and keys he had for the doors of his house! Seldom he slept more than three nights together in the same chamber, nor in any that had not two or three back-doors, guards being set at all of them." This passage is transcribed by Roger Coke, Detection, Vol. II, p. 60, and expanded by Hume.

Mean while all this reads very like an ingenious fiction. It suited the purposes of the royalist writers, to represent Cromwel as frightened out of existence. It seemed the proper moral for so audacious an undertaking. They viewed him as the most atrocious of criminals, for having been principally instrumental in taking

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1658. Vigour of his constitution a few months before.

The vigour of Cromwel's constitution however appears at no long time before to have been unimpaired. At the marriage of his youngest daughter to the grandson of the earl of Warwick in November, he shewed himself the gayest of the throng, and engaged in tricks and activity that even smacked of the school-boy[f]. And, at the time of the dissolution of his last parliament, more than two months afterwards, we are told that he took the inspection of the watch at Whitehall for several nights together upon himself in person[g].— His new son-in-law died in the February of the present year, and the earl of Warwick, his grandsire, two months after.

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off the head of a king. But there can be nothing more certain, than that he regarded himself in a very different light. As Clarendon says, Vol. III, p. 647, "He never made the least shew of remorse." The question is not whether he used all reasonable precautions for his own safety, which might have been prompted by the coolest reflection; but whether he was as Richard the Third is described to have been after the imputed murder of his nephews: "His eyes whirled about; his hand ever on his dagger; his countenance and manner like one always ready to strike again. He took ill rest a nights, troubled with fearful dreams; suddenly sometimes started up, leaped out of bed, and ran about the chamber. So was his restless heart continually tost and tumbled, with the tedious impression and stormy remembrance of his abominable deed [Sir Thomas More, Historie of King Richard]." All we can say is, that there is no one act of Cromwel's life in accordance with the tale; nor is it supported by one line in the voluminous collection of the State Papers of Thurloe.

[f] See above, p. 422. [g] p. 497.

1658.

Unfavourable indications.

The health of the protector is stated as declining in the middle of July[h]; and it was about the end of the month that we are told he had done little or nothing of public business for fourteen days. This is however ascribed rather to his constant attendance upon lady Claypole, than to the defect of his own health[i]. On the thirtieth he gave a private audience to the Dutch ambassador at Hampton Court; and, having heard his representations, and answered to one or two particulars, he excused himself, saying that he did not feel well enough to proceeed further, but would meet him the next week at Whitehall[k].

Violent medicines employed by him.

Cromwel was at this time labouring under a fit of the gout, which hindered him from his usual exercise; and being impatient of the restraint, he urged his physicians to disperse it, which attempt appears to have been attended with injurious effects[l]. Lady Claypole died on the sixth of August.

Funeral of lady Claypole.

The protector was at first unwilling to remove from the spot; but on the fourth day her funeral took place at Westminster Abbey[m], and the same day Cromwel came to Whitehall[n]; from whence however he appears speedily to have returned again to Hampton Court.

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[h] Thurloe p. 269.

[i] See above, p. 565.

[k] Thurloe, p. 299.

[l] Ibid, p. 320. Ludlow, p. 609.

[m] Thurloe, p. 320.

[n] Ibid, p. 323.

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1658. He is attacked with an ague.

On the twentieth he seemed to be much recovered; but, the day following, he was seized with an ague, of the sort which his physicians called a bastard tertian[o]; that is, which seemed to threaten a return on the third day, but scarcely left the patient free during the interval. From the commencement of the attack it appears to have been severe; and he was therefore advised to remove first to Whitehall, and, as it was intended, afterwards to St James's, as a better air, and farther from the water. He came to London on the twenty-fourth[p].

His precarious condition.

For one week from the first attack, the disease is said to have continued without any dangerous symptoms[q]: but even at this time Thurloe writes to the lord deputy, August the twenty-fourth, "However your excellency will easily imagine, how much trouble we are all under here; and, though it shall please the Lord to recover him again, yet certainly, considering the time this visitation is in, and other circumstances relating thereunto, it cannot but greatly affect us all towards God, and make us deeply sensible how much our dependence is upon him, in whose hands are the life and breath of this his old servant; and, if he should take him away from among us, how terrible a blow it would be to all

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[o] Thurloe, p. 354. Bates, p. 234.

[p] Thurloe, p. 355, 356.

[q] Bates, *ubi supra.*

the good people of the land; and that therefore we should be careful how we walk towards God, lest we provoke him to depart from us, and bring upon us this great evil. To have his life spared and his health restored by prayer, is a great addition to the mercy[r]."

He is sanguine as to the result.

Cromwel, we are told, at one time appeared alarmed for his condition, and ordered himself to be conveyed to bed. But the next morning, when one of his physicians came to visit him, the protector asked him, why he looked so sad? And, taking the protectress by the hand, he said, "I tell you I shall not die this bout; I am sure of it"—adding, "Do not think I am mad. I speak the words of truth, upon surer grounds than your Hippocrates or Galen can furnish. God himself has given this answer, not to my prayers alone, but to the prayers of those who maintain a stricter correspondence and greater intimacy with him. Go on therefore confidently, banishing all sadness from your looks, and deal with me as you would with a servingman[s]."—Fleetwood adds in his letter to Ireland, "His highness has had great discoveries of the Lord to him, and assurances of being restored, and made further serviceable[t]." And Thurloe writes to the same purpose[u].

He names his successor.

His physicians however did not see the matter

[r] Thurloe, p. 355.

[s] Bates, p. 234, 235.

[t] Thurloe, p. 355.

[u] Ibid, p. 364.

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in the same light; and on Monday, the thirtieth of August, he was urged to name his successor, agreeably to the power given him by the petition and advice[x]. It had been voted in the committee of nine persons early in July, after much consideration, that the government should not be considered as hereditary, but that the succession should be in the voice of the chief magistrate[y]. Philips says, this committee of nine was purposely composed of both factions, that is, of those who favoured government by a single person, and those who were for a commonwealth, that he might displease neither[z]. But this is uncertain. It is clear that none of those who were concerned in the present administration had the slightest thought of abridging the reign of the present sovereign. Fleetwood and Desborough are understood to have been eventually favourable to the scheme of a commonwealth[a]. To these sir Philip Warwick adds, but without any probability, Pickering and Sydenham[b].

Circumstances of the nomination.

Several writers have insinuated a doubt whether he ever named Richard Cromwel for his successor, or, if he did, whether he was in a state sufficiently collected to know what he was doing[c].

[x] Thurloe, p. 372.
[y] See above, p. 563.
[z] Supplement to Baker, p. 634.
[a] Ludlow, p. 586.
[b] Memoirs, p. 387. See also Bates, p. 233, 234.
[c] Bates, p. 236. Perfect Politician, p. 262. Warwick, p. 388. Ludlow, p. 611. The original author of this statement is Bates.

But Thurloe expressly writes to the lord deputy, that the nomination took place on Monday, the thirtieth. He adds a curious circumstance, that Cromwel had appointed his successor by a sealed letter, previously to his installation in June 1657; but that, having sent a messenger for it from Hampton Court to Whitehall, informing him that it lay on the table in his study, it could no where be found[d]. The nomination is said to have been repeated with greater formality on Thursday[e].

Fabricated dialogue between Cromwel and Goodwin.

He was principally attended on his death-bed by the two eminent divines, Goodwin and Owen. One story of him at this time is too characteristic to be omitted. He is said to have asked Goodwin with some earnestness, Whether the doctrine was infallibly true, that he who had once been in a state of grace, could never fall back into the condition of the reprobate? And, being answered in the affirmative, he rejoined, "Then I am safe; for I am sure I was once in a state of grace[f]."—If this anecdote is true, it may serve to shew how sincere Cromwel was in his religious opinions. But it is handed down to us by his enemies. And we have no reason to believe that the protector ever wavered in his faith, or relaxed in his religious opinions. Ambition, coloured as it was

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[d] Thurloe, p. 364.

[e] Philips, p. 634.

[f] Echard, p. 734. Neal, Book IV, Chap. iii.

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in the mind of the chief magistrate, is by no means incompatible with the most fervent piety.

1658. Enthusiastic frame of the chaplains of Cromwel.

The divines who attended Cromwel were wrought up to the same state of enthusiasm as their master. Goodwin, in one of the prayers he offered up in his behalf, is reported to have said, "Lord, we do not ask thee for his life: of that we are assured; thou hast too many great things for this man to do, for it to be possible thou shouldst remove him yet: but we pray for his speedy re-establishment and recovery[g]." And, when the fatal event was passed, Sterry, another of his chaplains, exclaimed, "This is good news: for, if he was of great use to the people of God while he was with us, now he will be much more so, interceding for us at the right hand of Christ[h]."

His last prayer.

The night before he expired, he was heard to utter this prayer. "Lord, I am a poor foolish creature; this people would fain have me live; they think it will be best for them, and that it will redound much to thy glory—All the stir is about this. Others would fain have me die. Lord, pardon them, and pardon thy foolish people; forgive their sins, and do not forsake them; but love, and bless, and give them rest; and bring them to a consistency, and give me rest

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[g] Kennet, Vol. III, p. 208. Echard, *ubi supra.*

[h] Kennet, p. 209. Echard, *ubi supra.*

for Jesus Christ's sake, to whom, with thyself, and the Holy Spirit be all honour and glory[i]." CHAP. XXXIII.

Cromwel died on the third of September, the anniversary of his victories of Dunbar and Worcester, at three o'clock in the afternoon. His enemies, who were delighted to associate his memory with every thing terrible, have related, that this very day was memorable for the greatest storm of wind that had been ever known, for some hours before and after his death, overturning trees and houses, and making great wrecks at sea[k]. Waller has endeavoured to turn this event into a source of panegyric. The truth however was, that this storm preceded his death by five days, happening on Monday, the thirtieth of August[l]. On that day died Dennis Bond, a considerable republican leader; and the royalists turned this event into a cold pun, saying, that, Cromwel not being ready, the devil had taken Bond for his future appearing[m]. 1658. His death. Storm said to accompany it.

The same spirit of calumny pursued Cromwel in the last period of his life, which conjured up Fidelity and attachment of Fleetwood.

[i] Neal, History of the Puritans, Book IV, Chap. iii. The same prayer, with some variation, is given in a tract, entitled, A Collection of Several Passages concerning his Late Highness in the Time of his Sickness, and in other publications of the times.

[k] Clarendon, p. 648. [l] Thurloe, Vol. VII, p. 416.

[m] Kennet, Register and Chronicle, p. 536. Bond is highly panegyrised by Wild, a poet and divine of the presbyterian persuasion.

BOOK IV. 1658.

so many ridiculous fictions respecting his boyhood and youth. Bates says, that, at the time of lady Claypole's death, Fleetwood refrained coming to his father-in-law's house, though he lived hard by, and ought to have comforted his dying sister[n]. But in all this there is no truth. He was one of the committee of nine, who were trusted with the government at this period. He is in constant correspondence with Henry Cromwel, and writes from day to day on the subject of his sister's illness and death[o]; and, a few days before the protector's death, he thus expresses himself, "This dispensation has indeed that in it which ought exceedingly to awaken us, and cause us earnestly to search wherefore the Lord doth thus reprove us. There is none that have a true love to this blessed cause, but is deeply concerned in it, and that does not pray that, for the further carrying on of the work, God will bring him forth with added vigour, life and zeal. His highness has had great discoveries of the Lord in his sickness, and some assurances of his being restored, and made further serviceable to his people[p]."

Lady Claypole misrepresented.

Granger, who, like the madman in the Book of Proverbs, casteth about firebrands and arrows and death, and saith, Am I not in sport? asserts, without any authority, that the lady Claypole

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[n] Elenchus Motuum, Part II, p. 233.

[o] Thurloe, p. 295, 309, 340.

[p] Ibid, p. 365.

frequently attended the preaching of Hewit, and adds, It is asserted that she was a warm partisan of Charles the First and Charles the Second. CHAP. XXXIII. 1658.

Clarendon, the unblushing promulgator of every calumny, observes, "Cromwel's domestic delights were lessened every day: he plainly discovered that his son Fauconberg's heart was set upon an interest opposite to his, and grew to hate him perfectly[q]." Now, in answer to this, we have Fauconberg's own words, in a letter to Henry Cromwel, four days after the event. "Dear my lord, the bearer brings you the sad news of our general loss in your incomparable father's death, by which these poor nations are deprived of the greatest personage and instrument of happiness, that not only our own, but indeed any age ever produced. The consternation and astonishment of all people are inexpressible; their hearts seem as sunk within them. And, if this is the case abroad, your lordship may imagine what it is in her highness, and other near relations. My poor wife—I know not what in earth to do with her. When seemingly quieted, she bursts out again into a passion that tears her very heart in pieces. Nor can I blame her, considering what she has lost. It fares little better with others[r]." and lord Fauconberg.

[q] Clarendon, p. 647.

[r] Thurloe, p. 875.

CHAPTER XXXIV.

BOOK IV.

GOVERNMENT OF CROMWEL CONSIDERED.—CHARACTER OF THE NATION OVER WHICH HE PRESIDED.—MAJORITY OF THE NATION HOSTILE.—THE PEOPLE IN GENERAL FAVOURABLE TO THE ANCIENT LINE OF THEIR KINGS.—SPIRIT OF LIBERTY THAT HAD SPRUNG UP.—SENTIMENTS EXTENSIVELY PREVAILING IN BEHALF OF A GOVERNMENT ACCORDING TO LAW.—RELIGIOUS CHARACTER OF THE NATION.—THE PEOPLE DIVIDED INTO THE HUMOROUS AND THE DEMURE.—THE NOBLE AND RICH UNFRIENDLY TO CROMWEL.—RELIGIOUS AND MORAL CHARACTER OF THE PROTECTOR.—HE AIMS AT THE REFORMATION OF THE LAW.—HIS CLEMENCY AND HUMANE DISPOSITION.—HIS PATRONAGE OF LETTERS AND LEARNED MEN.—A FREE PARLIAMENT WOULD HAVE RESTORED THE STUARTS.—ARBITRARY IMPRISONMENTS RESORTED TO BY CROMWEL.—UNPALATABLE MEASURES TO WHICH HE HAD RECOURSE.—SOME OF THEM UNAVOIDABLE.—OTHERS OF A DOUBTFUL CHARACTER.—DISSATISFACTION THEY PRODUCED.—HIGH REPUTATION OF HIS LAWYERS.—VIOLENT CHA-

RACTER OF HIS ADMINISTRATION.—ITS APPARENT VERSATILITY.—SEQUEL OF HIS GOVERNMENT, IF HE HAD LIVED LONGER, CONSIDERED.

CHAP. XXXIV.

HAVING traced the reign of Cromwel from its rise to its termination, it now becomes one of the duties of history to look back on the sum of the path through which we have travelled.

Majority of the nation adverse to the government.

The first characteristic of this period of history, from the day on which the independents and the army rose upon the parliament, is, that the affairs of the nation were directed by a small portion of themselves, seizing on the supreme authority by force, and retaining it by superior talents and intellect.

Difficulties created by this circumstance.

The government of a nation, particularly in such circumstances, is a complicated science, with difficulty mastered in theory, and with difficulty reduced to practice. It is comparatively easy for the philosopher in his closet to invent imaginary schemes of policy, and to shew how mankind, if they were without passions and without prejudices, might best be united in the form of a political community. But, unfortunately, men in all ages are the creatures of passions, perpetually prompting them to defy the rein, and break loose from the dictates of sobriety and speculation. Thus far as to the general nature of man. And, beside these generalities, in each par-

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ticular age men have aspirations and prejudices, sometimes of one sort, and sometimes of another, rendering them very unlike the pieces on a chess-board, which the skilful practitioner moves this way and that, without its being necessary to take into his estimate the materials of which they are made, and adapting his proceedings to their internal modifications.

experienced equally under the republicans and the protector.

Neither the republicans, who governed England for four or five years from the death of Charles the First, nor Cromwel who displaced them, were fated to lie on a bed of roses, or to wander upon a soft and level carpet of verdure.—Let us apply this to the history of Cromwel.

Parties and factions into which the people are divided.

The people of England, whom we may call his subjects, were divided into different bodies and factions of men, none of them disposed passively to be guided by his wishes or his will.

Monarchical nature of the government for centuries.

The first consideration that occurs under this head, is that of the government under which England had been placed for ages, previously to the civil war. The thing most obvious to the grossest capacity, and which therefore had a mighty influence with a great portion of the community, was, that we had had at the head of our government an individual with the appellation of king. From the days of William the Conqueror at least, this office had continued in an hereditary line, with such deviations as circum-

The crown hereditary.

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stances seemed to dictate, but never with a total disregard of this ground of succession.

Partiality of the nation to their ancient government.

Charles the Second was the eldest son of his father, the lineal descendant of the Edwards and Henries, who figure so greatly in our history, and the legal successor of Elizabeth, whose memory was dear, and worthily dear, to the people of this country. A prince, laying indisputable claim, so far as this circumstance is of force, to the crown of a country, is an intelligible object, to which persons of the plainest understanding may attach and devote themselves. A great part of the people of England had rallied round the standard of his father, and been loyal to his cause: a very small portion had, even in thought, thrown off the claim of him and his son to the throne. It was impossible therefore that this circumstance, the existence of the lawful prince in exile, the multitudes of men that superstitiously loved him[a], and the great numbers who, without personal partiality, had yet the feeling that the throne of England was his proper place, and that England would never be as it should be, without him[b], should not materially modify the purposes and authority of Cromwel.

Spirit of liberty.

The next circumstance, to which it was necessary for Cromwel, whether he would or not, to

[a] The royalists.

[b] The presbyterians.

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attend, was the spirit of liberty which was abroad in the land.

Party of the republicans.

The men who understood this best, and loved it with the purest affection, were the republicans. And these men, alike from their talents, their station in society, and their ascendancy in the army, were at all times formidable to the protector.

A government according to law generally demanded.

But there were various men and bodies of men, who, without so illuminated an understanding, had still a strong partiality to the doctrines of liberty. These were the men who claimed a government according to law; and they had always formed a considerable portion of the people of England. And this, in however confined a point of view, in a certain sense is liberty. "The vilest of all slaveries is subjection to the arbitrary will of a master; to live, as is said to be the case in some oriental sovereignties, where the supreme magistrate can at his pleasure take from you your property, and subject you to corporal punishment or death. To live under the empire of law has two advantages; though, alas, these advantages are often visionary. If the law be ever so iniquitous, you seem to know what you have to look to, and can shape your conduct accordingly. Unfortunately however where the law has interpreters, professional men whose business it is to quibble on words and explain away equity, this benefit is very equivocal. Secondly,

we are told that justice is blind, and the law speaks the same language indifferently to all. But this is by no means universally the case. The rich man, and the man of powerful connections will often be successful in the courts, where the poor and the friendless man has a small chance. These however are the exceptions. In the majority of cases law is a rule serving to protect the plain man in his honest undertakings and pursuits.

Congenial to the national character.

The English people are habitually a calculating and reasoning race. They find themselves more at home and more satisfied with a logical process, than most other nations. Hence the subtleties of law have been extensively cultivated among us. And we feel ourselves better contented with the issue of our controversy, be it what it will, when all is done by the application of a rule, than when the whole is disposed of by barefaced power, and the sudden impulse of an arbitrary will.

Religious state of the community.

A third thing of material importance to Cromwel, was the religious state of the community. In this respect the English nation was much divided. Many still adhered to the discipline and forms of the old episcopal church as patronised by Elizabeth: the bulk of the nation seems to have been wedded to the exclusive doctrines of presbyterianism: and a party by no means contemptible for either numbers or importance, were

Episcopalians.

Presbyterians.

Independents.

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the strenuous advocates of independence and toleration. Cromwel courted the presbyterians, but secretly, and in his heart, was the friend of the independents.

Republican principles of the anabaptists and other sects.

The latter of these parties, with all their numerous divisions, demanded the greatest degree of attention, on account of the fervour of their religious enthusiasm. A large portion of the independents, and the whole body of the anabaptists, were strenuous republicans, and more directly and openly thwarted Cromwel in his favourite projects, than any other set of men in the nation.

Magnitude of the consideration of religion.

Nothing can be of greater importance in a state than the religious dispositions of its members. It not unusually happens that, when all other things give way, these will prove invincible to all the arts and the force that can be brought against them. The influence of the priesthood, the inspirations of fanaticism, and the salvation of souls, will often present an impenetrable barrier to all the designs of the politician. And the influence of religious considerations was never so powerful as in the times of the English commonwealth.

The people divided into the grave and the humorous.

The enemies of the protector may be divided into two classes, the grave, and the humorous. The people of England, with the exception of the royalists, were for the most part sedate, atrabilarious and demure. The adherents of the house of Stuart ran into the opposite extreme of licen-

tiousness and buffoonery. They assailed Cromwel with all the weapons of ridicule, scurrility and contempt. This however scarcely rendered them less resolute and formidable on occasions of moment. They hated him more sincerely than they pretended to despise him, and were perpetually ready with plots, conspiracies and the dagger, to bring his power to a sudden termination.

The noble and the rich.

The ancient nobility and the great land-proprietors of England are also well entitled to consideration. A small number in these classes were friendly to the present system; but the great mass of them were by no means so. This was an unnatural situation in the state, and could only be found to prevail in unquiet times. The friends of constitutional liberty in the early periods of the civil war, and the commonwealthsmen afterwards, bore down by their energies what are commonly found to be the most influential, but the least enterprising part of the community. These for the greater part took refuge in a sullen and temporising neutrality. The earl of Northumberland may serve as a specimen of this class[c]. It was reasonable to expect that Cromwel would bear this description of men much in his mind; and we find in fact that he did so[d].

Men of all parties hostile to Cromwel.

Such were the elements of the nation Cromwel

[c] See above, p. 224.

[d] p. 410, *et seqq.*

took upon himself to rule; and materials more intractable to command could scarcely be found in any climate or age. The lord protector of England had no friends, except the few that he made so by his personal qualities, and his immediate powers of conciliation. The royalists, and the votaries of liberty in general, the episcopalians, the presbyterians and the independents, the fanatics of all descriptions, and a great part of the army, were his inveterate foes. He stood alone, with little else to depend upon, than the energies of his mind, and the awe which his character impressed on unwilling subjects. And all this happened, not so much from any ill qualities that could be ascribed to him, but as the natural result of his ambition. His enemies for the most part confessed his talents and the elevation of his soul, his high courage, his eminent sagacity, the vastness of his comprehension and his spirit, his intellectual intrepidity of purpose, the inexhaustible resources of his mind, his good-nature, his generosity, and the clemency and humanity that governed his decisions. His fault was ambition. The pride of the English nation could not endure, that a man who but the other day had been one of the ranks, and whom they would scarcely allow to be a gentleman, should now claim to be lord of all. Divided they were among themselves into a thousand factions; but they all agreed in this, to condemn the protector.

It is only by dint of bringing these circumstances together, that we are enabled to form a judgment of the administration of Cromwel. His was strictly a government of expedients; and he could only pursue the object he had most at heart by means of a thousand deviations and in the most circuitous manner.

His government depends on temporary expedients.

The object uppermost in the mind of the protector, as has repeatedly been said, was the true interest and happiness of the people over whom he presided. He believed of himself, that he had only accepted the rule for the purpose of securing their welfare. He was most anxious for the moral and religious improvement of his subjects, and aimed at the merit of being the father of his people.

Excellence of his intentions.

The character of Cromwel has been little understood. No wonder. The man who has many enemies, will be sure to be greatly misrepresented. And no man had ever so many enemies in the compass of one island composed of forty little counties, as Cromwel had. The Restoration speedily followed upon his decease. And it behoved the adherents of the house of Stuart, to blacken by all imaginable means the memory of the protector, that they might thus spread a sort of borrowed lustre, the result of the darker shades of the picture, upon Charles the Second.

His character grossly calumniated.

Cromwel was a man, most sincere in his religion, and singularly devoted to the cause of good

He is sincerely devoted to religion and good morals.

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morals. It is thus that Milton speaks of him. "If thou," says he, "the patron of our liberty, and its tutelar divinity,—if he, of whom we have held that no mortal was ever more just, more saintlike and unspotted, should undermine our freedom, which he had so lately built up, this would prove not only deadly and destructive to his own fame, but to the entire and universal cause of religion and virtue [e]."

Attestation of Milton.

Commencement of his public life referred to.

The beginning of Cromwel's public life was answerable to this character. He says of himself, "I raised such men as had the fear of God before them, and made conscience of what they did; and from that day forward, they never were beaten, but beat the enemy continually [f]." Milton expands this circumstance in his beautiful language. "He was a soldier thoroughly accomplished in the art of self-knowledge, and his first successes were against the internal enemies of human virtue, vain hopes, fears, aspirings, and ambition. His first triumphs were over himself; and he was thus enabled, from the day that he beheld an enemy in the field, to exhibit the endowments of a veteran. Such was the temper and discipline of his mind, that all the good and the valiant were irresistibly drawn to his camp, not merely as the best school of martial science, but also of piety and religion; and those who joined it were necessarily rendered

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He becomes the commander of armies.

[e] See above, p. 20.

[f] p. 362.

such by his example. In his empire over the minds of his followers he was surpassed neither by Epaminondas, nor Cyrus, nor any of the most vaunted generals of antiquity. Thus he formed to himself an army of men, who were no sooner under his command, than they became the patterns of order, obedient to his slightest suggestions, popular and beloved by their fellow-citizens, and to the enemy not more terrible in the field, than welcome in their quarters. In the towns and villages where they sojourned in no way offensive or rapacious, abstaining from violence, wine, intemperance and impiety, so that suddenly the inhabitants, rejoicing in their disappointment, regarded them not as enemies, but as guests and protectors, a terror to the disorderly, a safe-guard to the good, and by precept and example the teachers of all piety and virtue." Milton concludes, "As long as you, Cromwel, are preserved to us, he must want reliance on the Providence of God, who fears for the prosperity and happiness of the English nation, you being so evidently the object of divine favour and protection[g]."

Attestation of George Fox.

Remarkably coincident with the above picture, is what is related of him in 1654 on the authority of George Fox, the founder of the quakers. Fox, being brought into his presence, "expatiated with that zest and unction upon true religion,

[g] See above, Vol. III, p. 479, 480.

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and a holy and disinterested zeal for its cause, with which he was so remarkably endowed; and the protector, who had been accustomed deeply to interest himself in such discourses, was caught by his eloquence. He pressed his hand, and said, Come again to my house; if thou and I were together but one hour in every day, we should be nearer to each other [h]."

Cromwel's declaration respecting the Protestants of Piedmont.

In perfect correspondence with this is the declaration made by Cromwel respecting the Protestants of Piedmont, that "the calamities of these poor people lay as near, or rather nearer to his heart, than if it had concerned the dearest relations he had in the world [i]."

Ordinance for ejecting scandalous and insufficient ministers.

One of the measures of Cromwel, which may be cited as an example of his anxiety for the moral and religious improvement of his countrymen, is his ordinance for ejecting scandalous and insufficient ministers among those who received stipends from the public. This, like almost all his measures, was made a subject of misrepresentation [k]. Let us call to mind the judgment of Baxter on the subject. "The commissioners under this act saved many a congregation from ignorant, ungodly, drunken teachers, that sort of men who intend no more in the ministry than to say a sermon, as readers say their common prayers, and so patch a few good words together to talk the people

[h] See above, p. 313. [i] p. 209. [k] p. 39.

asleep on Sunday, and all the rest of the week go with them to the ale-house, and harden them in sin; and that sort of ministers who either preach against a holy life, or preach as men that were never acquainted with it: these they usually rejected, and in their stead admitted any, that were able, serious preachers, and lived a godly life, of what tolerable opinion soever they were. So that, though many of them were somewhat partial to the independents, separatists, fifth-monarchy men and anabaptists, and against the prelatists and Arminians, yet so great was the benefit, above the hurt that they brought to the church, that many thousands of souls blessed God for the faithful ministers whom they let in, and grieved when the prelatists afterward [in August 1662] cast them out again[1]."

1654.

1655. Instructions to the major-generals.

In the instructions and orders given to the major-generals in 1655, particular attention was bestowed on the question of the public morals. They were required "in their carriage and conversation to promote godliness and virtue, and to endeavour, with the justices of peace, clergy, and proper officers, to put down drunkenness, blasphemy and licentiousness; to inform themselves of idle and loose persons, who had no visible means of livelihood, that they might be compelled to work, or sent out of the commonwealth;

[1] See above, p. 42.

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to take bonds of such masters of families as had been in arms against the parliament for the good and orderly behaviour of their servants; and to put down in London and Westminster all gaming houses and houses of ill fame[m]."

1657. Cromwel's representations to a committee of parliament.

In Cromwel's speech respecting the omissions and imperfections of the petition and advice, he notices that they had said nothing respecting the reformation of manners. He recommends that particular attention should be paid as to the education of gentlemen's sons. He complains that in many cases our children are sent into France, and return with all the licentiousness of that nation; no care being taken to educate them before they go, nor to keep them in good order when they come home. He urges the necessity of something effectual being done on the subject of public morality, without sparing any condition of men, and the youth of the nation, though they be noblemen's sons. Let them be who they will that are debauched, he adds, it is for the glory of God, that nothing of outward consideration should save them from just punishment and reformation: and truly there was nothing for which he would more bless God, than to see something done, and that heartily, not only in reference to the persons mentioned, but to all the nation, that there might

[m] See above, p. 232. Parliamentary History, Vol. XX, p. 462, 463, 467.

be a general stop put to the current of vice and wickedness [n].

His solicitude for the reformation of the law.

The reformation of the law was the perpetual subject of Cromwel's solicitude. He says in the speech just quoted, "If any man should ask me how this is to be done, I confess I am not fully prepared to enter into particulars. But I think at least the delays of suits, the costliness of suits, the excessiveness of fees, and those things they call demurrers, loudly demand the interference of the legislature [o]."

and for assisting the poor against the oppression of the rich.

In a conversation recorded by Ludlow, Cromwel affirmed to him, that the main operation of the law, as at present constituted, was to maintain the lawyers, and assist the rich in oppressing the poor. He added, that Cooke, then justice in Ireland, by proceeding in a summary and expeditious way, determined more causes in a week, than Westminster Hall in a year. Ireland, said Cromwel, is a clean paper in that particular, and capable of being governed by such laws as shall be found most agreeable to justice: and these may be so impartially administered there, as to afford a good precedent to England itself, where, when we shall once perceive that property may be preserved at so easy and cheap a rate, we shall

[n] See above, p. 397. Monarchy Asserted, p. 105, 106.

[o] See above, p. 396. Monarchy Asserted, p. 105.

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certainly never allow ourselves to be cheated and abused as we have been [p].

His clemency and humane disposition.

The clemency which Cromwel practised on so many occasions is closely allied to those moral and religious habits which he so remarkably cultivated. Even with regard to his campaign in Ireland, which was stained with sanguinary proceedings the most alien to his nature, he says in his dispatches, This bitterness, I am persuaded, will hereafter prevent much effusion of blood: and adds, These are the satisfactory grounds to such actions, which otherwise cannot but work remorse and regret [q]. —He would have saved the life of Love, the minister, had it not been that he was necessarily absent from the capital [r]; and he told Manton, that Hewit, who was executed three months before the death of the protector, should not have died, but for his invincible persistence in disingenuity and prevarication [s]. He never allowed sentence of death to pass upon any republican but Sindercombe, the assassin; and the short imprisonments that he imposed upon the majority of those, both republicans and royalists, who were accused of treason against him, and their early dismission, have had the effect with his enemies, of inducing them to allege that he got

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[p] See above, Vol. III, p. 225.
[q] Ibid, p. 148, 149.
[r] Ibid, p. 257.
[s] See above, p. 523.

up imaginary plots, to make it appear that his government was in greater danger than that to which it was actually exposed.

Merit that belongs to this feature of his character.

The clemency of Cromwel was doubly meritorious, inasmuch as he was so extensively hated. The consciousness of the ill-will of others, is the most irresistible spur to blood-guiltiness and cruelty. It was this that made such monsters of Tiberius and Caligula and Nero. But the soul of Cromwel was so well balanced, that nothing could move it from its centre; and the knowledge that the eyes of nine tenths of those he governed were animated with hostility against him, could not for a moment destroy the serene and exemplary composure of his mind[t].

His patronage of letters and learned men.

Another feature of the character of Cromwel proper to be recorded in this place, is his anxiety for the prosperous condition of letters and learning. We have seen in the eighth chapter of this book, how firm was the stand he made against the mistaken fanatics who aimed at the destruction of the universities, and to what eminence science and polite literature consequently rose under him in those seminaries. He also founded a college at Durham for the convenience of students in the north, with a provost, four professors, and a certain number of fellows and tutors[u]. He settled

[t] See further on this subject, p. 107, 108.

[u] Peck, Memoirs of Cromwel, Appendix, No. 20.

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a pension on Usher[x]. He applied to Cudworth, to recommend to him proper persons to be employed in political and civil affairs[y]. He made a proposal to Dr. Meric Casaubon to write a history of the civil war[z]. He issued his orders, that the paper employed by Dr. Bryan Walton in printing his Polyglot Bible, should be allowed to be imported duty-free[a]. We have already spoken of the pensions and appointments bestowed by him on Milton[b], Marvel[b], Hartlib[c], and Biddle[d].

Abatements that are to be made on these commendations.

Reviewing all these qualities and dispositions in the lord protector of England, we should be almost disposed to place him in the number of the few excellent princes that have swayed a sceptre, were it not for the gross and unauthorised manner in which he climbed to this eminence; by forcibly dispersing the remains of the Long Parliament, that parliament by which he had originally been intrusted with the command, and then promulgating a constitution, called the Govern-

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[x] Bernard, chaplain to Usher, in a Life of him published during the protectorate, p. 103, 104, affirms this, and says the money passed regularly through his hands. Parr, another of his chaplains, in a Life published under James the Second, denies it. Such is the voice of fame.

[y] Life of Cudworth, prefixed to Intellectual System, p. 8, 9.

[z] Athenæ Oxonienses, Vol. II, p. 485, 486.

[a] This fact is mentioned in Walton's original Preface to his publication in 1657; but was suppressed afterwards. The advantage was first given by the council of state in 1652.

[b] See above, p. 30, 219, 423. [c] p. 494. [d] p. 325.

ment of the Commonwealth, which originated singly in the council of military officers. To this we must add, that he became the chief magistrate solely through his apostasy, and by basely deceiving and deserting the illustrious band of patriots, with whom he had till that time been associated in the cause of liberty.

His final miscarriage.

With the admirable dispositions above enumerated, Cromwel committed the grossest faults, left behind him a memory which few were disposed to cherish; and all his projects, and his plans for a permanent settlement of the people of England under a system of rational liberty, and a dynasty of kings sprung from his own issue, were buried in the same grave with their author.

Its causes.

How happened this? It was not from the want of talents and the most liberal intentions. But he was not free. He governed a people that was hostile to him. His reign therefore was a reign of experiments. He perpetually did the thing he desired not to do, and was driven from one inconsistent and undesirable mode of proceeding to another, as the necessity of the situation in which he was placed impelled him.

A free parliament would have restored the Stuarts.

The nucleus of all the difficulties which Cromwel's administration had to struggle with, is comprehended in the assertion of Whitlocke, confirmed by every page of this history, that the calling a "truly free parliament, was the ready

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way for the king's restoration[c]." This consideration heightened the prejudices of all against him, and gave new vigour to the hatred of the royalist, the man of rank, the episcopalian, the fanatic, and the leveller.

1649–1651. Proceedings of the commonwealthsmen on this subject.

The commonwealthsmen had distinctly seen this, and for that reason had set themselves by every method they could devise to protract the dissolution of the Long Parliament, and, when that event should occur, to provide that the present sitting members should be authorised to take their places in the new parliament without a fresh election. Cromwel, during the last period of the Long Parliament, did not see this, or pretended not to see it, and made this policy his ground of accusation against the republicans, "as if it had been dictated by no other motive than a groveling ambition, and that they could not bear, having tasted the sweets of power, to resign it even for a moment, and place themselves on the same level as their fellow-citizens. But he had no sooner, by the strong hand of power, thrust them from their places, and made a clear space for any practicable system of representative government, than he was compelled to feel, and by his actions to confess, the truth of the maxim which had regulated their conduct.

calumniated by Cromwel.

He is convinced of his mistake.

[c] See above, p. 161, note.

Arbitrary imprisonments resorted to by him.

The worst and most unjustifiable things that Cromwel did in his protectorate probably were the frequent imprisonments without reason assigned, that he authorised from political motives. When Harrison and others were repeatedly put in durance for a week or a month, and then dismissed without any thing further being done respecting them, it seems not unjust to conclude that this proceeding was by no means necessary, and that it afforded proof of some deficiency in Cromwel for holding the reins of a civil government. In enumerating the good qualities of the protector, we spoke of the short imprisonments he inflicted upon both republicans and royalists, as instances of his clemency. But they may also be considered in another point of view. They are the indications and the sallies of an arbitrary temper. Cromwel was drunk with the philtre of his power. The impulses of his mind were quick and impatient; and he decided to cut the Gordian knot of difficulties, being destitute of the moderation required to unloose it. The protector did not check himself in proceedings of this kind, when the question was of individuals against whom there existed a presumptive case. But it may be doubted whether he ever suffered an undue precipitation to interfere, in the cardinal questions upon which the safety of the state was suspended.

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Unpalatable measures to which he had recourse.

Some of them unavoidable.

A great part of his proceedings, as has appeared in the progress of our narrative, even when they bore most the hue of an arbitrary character, were such as it was impossible for him to omit, without striking a blow at the very root of the political power which now guided the helm of the state. The dissolution of the two parliaments of 1654 and 1656, has appeared to be of this sort. His conduct in the law-suit of Cony, and respecting the resignation of three of his judges, Rolle, Newdigate and Thorpe, could not have been other than it was, without an immediate dissolution of the government.

Others of a more doubtful character.

Sometimes however his measures bore an arbitrary stamp, at the contemplation of which a cool judgment and an impartial mind feels itself called on to pause. The extraordinary proviso in the Government of the Commonwealth, that the protector and council should have power to raise money for the public defence, and to promulgate laws and ordinances which should be of force till the parliament might otherwise direct, was perhaps, under all the circumstances of the then state of England, unavoidable. But the institution of the major-generals, and the decimation of the income of the royalists, were proceedings that we shall find it more difficult fully to vindicate. The capricious exclusion of one hundred of the representatives of the people at the meeting of

the parliament of 1656, was perhaps the most violent and astounding of all the acts of Cromwel. It may be, that each of these acts was necessary to prevent the immediate dissolution of the government; and a necessity of this kind is the strongest of all arguments; but such a necessity the contemplative politician and the historian can scarcely at any time fully perceive; and the measures must therefore always remain impressed with at least a very equivocal character.

Dissatisfaction they produced.

But all the actions of Cromwel of which we have here spoken, as they had the appearance of being dictated by the bare will of the chief magistrate, had a powerful tendency to increase the number of his disapprovers and enemies. The royalists and the republicans would probably never have been contented, and would have condemned whatever he did. But there was another set of political critics, who had a very considerable influence in fixing finally the character of the protectorate. These were the persons, calling themselves friends of liberty, whose favourite theme and object was a government according to law.

High reputation of his lawyers.

The period of the protectorate was eminently a period of accomplished lawyers. There have seldom existed in any epoch of English history men more profound in this science, than St John and Glyn and Maynard and Hale: to whom we may add Whitlocke, Widdrington and Rolle. The judges of Charles the Second sink into utter

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contempt in the comparison. Clarendon has sufficiently described those of the period that preceded, where he says, "The damage and mischief cannot be expressed, that the crown and state sustained by the deserved reproach and infamy that attended the judges, who were made use of in the affair of ship-money and other the like acts of power[f]."

Desirableness of a fixed and definite system of government.

It must be confessed however that the government of Cromwel was in a very imperfect degree a government according to law. A settlement was the thing wanted. The state had been wrenched from its basis. The institution of a king and a house of lords had been abolished by the laws of February 1649. It may perhaps be admitted by the man who looks down upon all ages and nations from the unclouded regions of philosophy, that as good a constitution may be found as the constitution of the government of England, as it previously existed in its elements, and as it has been practised since the year 1688. But a beneficent and sound constitution was the present desideratum, a constitution in which the spirit of liberty should be combined with the venerableness of order; and especially (which is implied in the very name constitution) a system in which sobriety and consistency should be principal features, a system, in which every man should know what to look to and to expect, in which the rights of all should be distinctly recognised, and where

[f] See above, p. 498.

they should be never, or in as few and slight instances as possible, impeached and violated.

1653. Violent character of Cromwel's administration.

But the administration of Cromwel was a government of experiments. He began with the daring blow of dispersing the remains of the Long Parliament, the only legitimate authority at that time existing in England. The power of the state by that act devolved into the hands of his council of officers. They nominated an assembly of one hundred and forty-four persons, arbitrarily styled representatives for the different counties of England, for Ireland, Scotland, and Wales, but really chosen by the council of officers only. This assembly is known in history by the name of Barbone's parliament. It was, after a sitting of somewhat more than five months, brought to an irregular termination. The council of officers then resumed the power of the state, and, four days after, produced an instrument, entitled the Government of the Commonwealth, by which Cromwel, having waived the title of king, was constituted Lord Protector of England, a parliament regularly chosen was directed to meet in the autumn of that year, and afterwards once in every three years, and in the mean time Cromwel and his council were authorised to raise money, and to make such laws and ordinances as the public welfare might require. The parliament sat at the appointed time, and, after a session somewhat shorter than that of Barbone, during which it

Dispersion of the Long Parliament.

Succeeded by Barbone's convention.

Protectorate.

1654. Cromwel's first parliament.

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1654. It is dissolved.

ran in almost all things counter to the purposes of the protector, was suddenly dissolved without completing any one measure for the maturing which parliaments in this country have usually been summoned.

1656. Cromwel's second parliament. One hundred members excluded.

A second parliament was assembled after an interval of twenty months; and the first occurrence that signalised their meeting, was Cromwel's exclusion of one hundred of its members by his sole authority.

1657. Petition and Advice.

This parliament however, though with diminished numbers, entered on the most important functions, gave to the protector a species of legal authority, and decreed the existence of all future parliaments in the form of two houses.

1658. The parliament dissolved.

Meanwhile the experiment of a second house of the legislature seemed to turn out unfortunately, and led to another example of an abrupt dissolution, a proceeding which especially in critical times, must in a considerable degree tend to weaken the whole fabric of the government.

Unfavourable effect of these proceedings.

The result of all this was most unfortunate for the friends of a republican government, and for those who desired the establishment of monarchy in a new race of kings, and most favourable for the adherents of the house of Stuart. The obvious inference to draw from these perpetual vicissitudes, was, England will never be well, nor her government fixed on a secure basis, till the restoration of the exiled family. Sober and moderate men of various classes in the community became

daily more favourable to, or more fixed in the opinion, that the old constitution of government by king, lords and commons, as it had prevailed ever since the days of Edward the First, must be set up again.

The sequel of his government, if he had lived longer, considered.

What would have been the result, if Cromwel's life had been prolonged to the established period of human existence, or ten years longer than it was, it may be allowed, and indeed it is almost unavoidable, that we should enquire. His character perpetually rose in the estimation of his subjects. He appeared to them every day more like a king, and less like the plain and unambitious descendant of the Cromwels of Hinchinbrook and Ramsey. His abilities were every hour more evident and confessed. At first he shewed like a presumptuous demagogue, like the man in the Bible, who began to build, but was not able to finish. He was, such was the judgment that in the beginning was passed upon him by many, a bold, bad man, a common disturber and incendiary, well qualified to throw every thing into confusion, and to leave no memory but that of calamity and desolation behind him. His capacity for government became daily more unquestionable. He looked into every thing; he provided for every thing; he stood, himself unmoved, yet causing every threatening and tempestuous phenomenon by which he was assailed, to fly before him.

Advantageous appearances.

His capacity for government evinced.

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It is gradually matured.

Distinguished as were his talents for governing from the hour he assumed the sceptre, they daily became more consummate. He felt his situation; and his ideas accommodated themselves to whatever it required. He dwelt at home[g]; he scarcely at any time dismissed the character and the views that befitted the first magistrate of a great country.

Progressive improvement of his system of government.

Fluctuating and uncertain as his government had been hitherto, he deeply felt the necessity of its being rendered unalterable and unchanged. This had been especially his view in calling the parliament of 1656. Ill satisfied as he was with the tenure of his government as it originated with the council of officers, he determined to obtain for it a legislative sanction. It was with this purpose that he was induced to concur in the otherwise unpalatable provisions, that no member of the house of commons should henceforth be moved from his seat but by the will of the house itself, that no law should be promulgated but by parliamentary authority, and that another house of legislature should be constituted to stand between the chief executive magistrate and the representatives of the people. It was with the same purpose that he desired the title of king. He no doubt was profoundly convinced of the truth of what he had said to Desborough and Fleetwood, that the diadem was but a feather in

[g] *Tecum habita.*—Persius.

a man's cap, to please children of whatever stature and age. But he at the same time felt the truth of what was alleged by the lawyers, that the name and the powers of a king are inextricably bound up in our laws. And he saw that the assumption of the crown was the only sure method for obtaining that favourite purpose of his thoughts, the entailing the chief magistracy in the line of his descendants.

His foreign policy.

The system of Cromwel's government was more consistent and of greater steadiness, as it related to other countries, than his own. He gave prosperity to Scotland; he gave tranquillity to Ireland. He was perhaps himself superior to the contagion of prejudices. But he saw that government could not be carried on among the people with whom he had to do, but with a certain accommodation to prejudices. His authority, as it regarded foreign countries, had always been great; but it had lately been greater than ever. The homage that had been paid him by the court of France was truly surprising; and he had in the course of the last campaign, disarmed the hostility of Spain, and rendered the threatened invasion impossible. The government of England had never been so completely freed from the fear of all enemies, both from without and within, as at the period of the death of Cromwel.—In a word, we are almost compelled to conclude, that, if he had lived ten years longer, the system of his

Inference from the whole.

BOOK IV.

rule would continually have grown more firm and substantial, and the purposes and ideas to the accomplishment of which he had devoted all the powers of his soul, would not have been antiquated and annihilated almost as soon as they were deprived of his energies to maintain them.

It was not difficult for a sagacious mind, rising above the atmosphere of prejudice, to foresee, from the death of Cromwel, that the Restoration of Charles the Second was inevitable. The details of what occurred in the interval may at some time be given; but whether by the writer of these volumes under the title of a History of the Restoration, is altogether uncertain.

THE END.

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